

THE 60s SECRET OF OASIS

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THE BATTLE FOR ENGLISH RUGBY

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MATTHEW PARRIS

One in the eye for honest journalism

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TOMORROW

LIEBY PURVES on our child-centred society weekend

Nato takes tough line in Bosnia

SAS kill war crime suspect in shoot-out

By TOM WALKER IN SARAJEVO AND MICHAEL EVANS, DEFENCE CORRESPONDENT

SAS soldiers shot dead an indicted war criminal and arrested another yesterday as part of a new tough stand against men accused of genocide and crimes against humanity in Bosnia.

It was the first time that troops in the Nato-led peace-keeping force had sought out wanted men and the operation, codenamed Tango, came after a clear signal from the Nato summit in Madrid on Tuesday that more determined action was needed.

Authorisation for the arrest of Sino Drijaca, the former Serb police chief of Prijedor, and Milan Kovacevic, director of the town's hospital and former mayor, had been given at the highest level. General William Crouch, American commander of the 35,000-strong Stabilisation Force (Sfor) in Bosnia, contacted both Javier Solana, Nato Secretary-General, and General George Joulwan, Supreme Allied Commander Europe.

Although the Sfor soldiers are entitled to arrest any indicted war criminals if they come across them in their normal duties, Nato sources said General Crouch had sought high-level authorisation because of the statements on war criminals made at the Madrid summit.

While Nato officials emphasised that the summit had not given Sfor commanders new orders, it was admitted that there would now be a more robust interpretation of the mandate.

The two Serbs targeted by the SAS yesterday had been secretly indicted on genocide charges by the International Criminal Tribunal for the Former Yugoslavia in The Hague. "Sealed indictments", passed to Sfor in Sarajevo, accuse them of war crimes



Drijaca: shot dead outside restaurant

against the people of Prijedor in northwest Bosnia, which was the subject of ruthless "ethnic cleansing" in the early stages of the Bosnia war in 1992.

The SAS team, supported by American Black Hawk helicopters, arrested Milan Kovacevic at the Prijedor Hospital without incident.

However, when they challenged Sino Drijaca outside a restaurant in the outskirts of Prijedor, he opened fire with a pistol, slightly injuring one of the soldiers in the leg. The SAS returned fire and he was killed. Two other people were detained, and three handguns were recovered at the scene.

The injured British soldier was transferred to the American military hospital in Tuzla.

Last night Mr Kovacevic arrived in The Hague where he will be held in custody to await trial. The action was welcomed by Nato leaders who have been frustrated by the failure of the local communities in Bosnia to hand over indicted war criminals, as they are obliged to do under the Dayton peace accord. It also served as a warning to Radovan Karadzic, the former

Bosnian Serb president, who is charged with genocide.

Robin Cook, the Foreign Secretary, said: "I'm very proud of the performance of the British forces in this operation. They have shown very considerable courage. The use of firearms on this occasion does demonstrate the risks that they took."

However, when asked whether operations would be mounted against other people on the list of 76 wanted war criminals, he said: "Nobody knew of this operation before it took place and nobody will know of any future operation."

In a statement to MPs, the Defence Secretary George Robertson said that the Serb leaders had been left in no doubt about Nato's resolve to bring to justice those accused of "such terrible acts. We will take action as and when it is practical and sensible to do so."

The action in Bosnia had been a serious declaration of intent and all those indicted knew what they had done. He wondered how they could sleep in bed at night at all and added they would "certainly not sleep any sounder as a result of today's action."

People had suffered unimaginable horrors during the Bosnian war and British troops had served with skill and professionalism to restore some semblance of normality, Mr Robertson said.

Sir George Young, the Shadow Defence Secretary, offered full support for the action taken and Martin Bell, the independent MP who was injured while reporting in Bosnia for the BBC, said: "It's been a long time coming."

Suspects at large, page 16
Bosnia snatch, page 17
Leading article, page 23



A hunt supporter acknowledges the cheers of the demonstrators in Hyde Park

Foster and the foxes tremble as the country goes to town

By DAMIAN WHITWORTH

NOT since Wot Tyler and his ruddy-cheeked band bore down on the capital has there been such an invasion of the town by the country.

Yesterday, though, the 100,000 vocal demonstrators who filled Hyde Park carried not staves but shooting sticks. This was no peasants' revolt but a deep rumble of discontent from countrymen and women whose anger at what they believe are threats to their traditional way of life posed by Michael Foster's Bill has been slowly but is now well and truly ablaze.

The demonstrations that filled Hyde Park in the 1980s were nothing like this. The pop bands and sideshows and hippies that defined the CND and poll tax protests were nowhere to be seen. Instead, yesterday, the sartorial pedants who insist that green and brown should not be seen in the town would have had palpitations on encountering the acres of tweed and twill in central London.

Every regional accent emanated from beneath all manner of straw hats. Travelling to work on the Tube, a colleague who grew up on a dairy farm said the distinctive fragrance of the visitors made him nostalgic for milking time.

Mark Hill, a master of foxhounds from Cirencester, summed it up. "Old England has finally sat up and shaken itself and realised that it is looking down a pair of gun barrels called new Labour." For although the organisers of the rally insisted that it was not only about foxhunting, it was Mr Foster's private member's Bill to ban the sport that had drawn the crowds.

William Hague, leader of the Conservative Party, was incongruous in stiff double-breasted suit, but he was fêted wherever he went (when he

was recognised). "I am in favour of country sports and I hope people will listen to the arguments of the people here today. The traditional countryside is at risk of being swept away," he said.

There were supporters of all political parties in attendance, but the Tories were everywhere. Michael Heseltine,

MP's Bill at risk

Downing Street and senior ministers emphasised that Michael Foster's anti-hunting Bill, which will win a big majority on its Commons Second Reading in November but will then face a prolonged assault. Page 4

Brian Mawhinney, Lord Tebbit and Alan Clark were all on hand to talk to anyone who would listen. Nicholas

Continued on page 2, col 5



"It must be a fake - I can't see any anti-hunt protesters"

Maxwell costs hit creditors

A High Court judge described as "profoundly shocking" figures showing that all but £60,000 of the £1.68 million personal estate of the late Robert Maxwell will be swallowed in fees.

Mr Justice Parris said that if the sums claimed by Buchler Phillips, an insolvency firm, were paid in full, the receivership would have given creditors nothing. Page 27

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Mortgages poised to rise again as worried Bank puts up interest rates

By ALASDAIR MURRAY
NATHAN YATES
AND PHILIP WEBSTER

MILLIONS of homeowners face another rise in mortgage costs after the Bank of England increased interest rates for the third consecutive month yesterday.

Gordon Brown, the Chancellor, who handed control of rates to the Bank shortly after the election, defended its action and other measures as necessary for an economy "in danger of becoming seriously out of balance" because of the mistakes of the Tory government. He accused the previous administration of "negligently" failing to tackle the threat of inflation.

The Bank's monetary policy committee decided to increase

rates to 6.75 per cent, with the City forecasting further increases before the end of the year.

Abbey National, which has about 1.6 million mortgage customers, immediately raised its mortgage rates by a quarter point - adding about £7.50 to the average £50,000 mortgage. Cheltenham & Gloucester, the home loans subsidiary of Lloyds bank, also announced it was raising its rates a quarter point.

Most of Britain's other major mortgage lenders, including the Halifax, Woolwich and Nationwide building society, resisted the temptation to follow suit, and instead placed their mortgage rates under review. But analysts expect that the reprieve could prove short-lived and that major

lenders will quickly follow Abbey's lead.

The Bank of England said it had raised the interest rate because of evidence of booming consumer spending and higher than expected economic growth. But it expressed renewed concern over the high level of the pound - which has begun to hurt Britain's exporters - saying its continuing rise had "sharpened the dilemma for monetary policy".

Businesses gave a cool response to the rate increase, arguing that it had been caused by Mr Brown's failure to hit consumers with tax rises in the Budget. Adair Turner, director-general of the Confederation for British Industry, warned against further rises sending the pound still higher. He said: "This situation must

not be exacerbated, and is itself likely to slow growth over the next year."

Mr Brown, under fire in the Commons, said: "I am not going to make the mistakes that the previous Conservative government made, of allowing inflation to get out of control and causing the instability, the volatility and the negative equity that has happened."

Peter Lilley, the Shadow Chancellor, said the Conservatives had hit the inflation target in their last month in power. He blamed the Government for the situation.

The stock market shrugged off the rise, which had been widely anticipated, and dealers expect the pound to resume its rise.

Rate speculation, page 27

Neanderthal man was a dead-end

By NIGEL HAWKES

THE DNA of an extinct human species has been isolated and studied for the first time. It shows that Neanderthal Man, who flourished in Europe for more than 100,000 years, was a biological dead-end.

None of the genes in modern humans comes from the Neanderthals: not only did they not survive as a species, they did not even manage to interbreed with the more sophisticated modern humans who lived alongside them.

Dr Chris Stringer of the Natural History Museum said the finding was "a fantastic achievement", a tour de force of genetic analysis.

Genetic marvel, page 3

BA attacked for clampdown on staff who go sick

By IAN MURRAY, PHILIP BASSETT
AND STEPHEN FARRELL

BRITISH AIRWAYS yesterday told 1,700 workers who have called in sick in the past three days that they must report their illnesses to managers or they will be regarded as being on strike.

The move came as union leaders criticised the airline for telephoning doctors to check on medical certificates produced by employees since the start of the 72-hour strike on Wednesday.

Matthew Campbell, regional industrial organiser of the TGWU, said that one woman recovering from surgery

had been telephoned three times by BA staff checking on her condition.

Doctors have already criticised the airline for demanding a medical certificate from anyone who reports sick, when most employers accept "self-certification" from workers who are absent for up to a week. GPs will provide notes covering shorter periods, but they can charge £7.50 for the service.

BA has said that it will reimburse that £7.50 to workers who are genuinely ill, but the BMA is still concerned about airline staff swamping surgeries and has written to BA complaining that it is wasting GPs' time and NHS

resources. Dr Ian Bogle, chairman of the BMA's GPs' committee, told the BA chairman, Sir Colin Marshall: "I would like to remind BA that family doctors are not required to issue sickness certificates for periods of absence lasting less than seven days."

The priority of the family doctor is to attend to those of their patients who actually require their clinical skills in effecting treatment."

Dr Krzysztof Jakubowski from the Weybridge Health Centre, which serves the London airports area, also complained to BA saying: "The doctors consider this to be a gross abuse of their professional time. It is not our

role to police sickness absence on your behalf."

But BA, which said it had received certificates from only half of its missing staff, insisted: "We are doing this because if these people are genuinely ill they can produce a doctor's certificate proving it. If they are not sick it is the staff who are wasting the doctors' time, not BA."

Despite the soaring sick roll, BA claimed that support for the strike was crumbling, putting the number taking action at 250. An airline spokesman

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Neanderthal Man bears no relation to us

DNA testing has come up with an evolutionary dead end. We are all out of Africa, Nigel Hawkes reports

A BREAKTHROUGH in genetic analysis has shown that modern human beings are not descended from Neanderthal Man. It proves the contention that Neanderthal Man was an evolutionary dead end.

Although he lived alongside modern human beings' ancestors for thousands of years, there appears to have been no inter-breeding. When the Neanderthals died out about 30,000 years ago, they left no descendants.

For the first time, scientists have managed to extract DNA from a sample of Neanderthal bone and compared the sequences with those of modern human beings and chimpanzees. The results, published in the journal *Cell*, show large differences between modern man and the Neanderthals.

Dr Svante Pääbo, of the University of Munich, the team leader, says this means that they cannot be closely related. It also supports the notion that while Neanderthals were evolving in Europe, modern man first appeared in Africa, migrating to Europe and displacing the Neanderthals.

Dr Chris Stringer, of the Natural History Museum in London, saluted the finding as "a fantastic achievement". He

had been trying to do the same thing, in co-operation with Dr Bryan Sykes at Oxford University. "It's marvellous that somebody has achieved it, and I have found nobody in the scientific community who doubts the result," he said.

The bone samples, weighing 3.5 grams, were taken from the upper arm of the original specimen of Neanderthal Man, found in the Neander Valley, near Düsseldorf in Germany, in 1856. It took the team several years to get permission to take the sample from the bone, which is kept in a museum in Bonn.

They first checked to see how far the bone had decayed, by measuring changes in amino acids. This convinced them that there might be sufficient DNA. Using methods to amplify the tiny fragments they recovered, they were eventually able to build up a sequence of 378 DNA bases of mitochondrial DNA — the commonest type in cells, and thus the easiest to recover from ancient specimens. This is about one fortieth of the entire mitochondrial DNA sequence.

They then compared this to sequences from modern human beings and chimpanzees. Mitochondrial DNA is passed down unchanged from mothers to their children, so remains the same over many generations. The only changes that take place are random mutations. This means that all today's human beings have very similar sequences, differing in this region in only eight or so places out of the 378.

The Neanderthal DNA differed from the human at 27 places, while chimp DNA differed at 55 places. This means that the Neanderthals are a distinct species and rules out interbreeding — at least in the case of this particular Neanderthal specimen.

Because mitochondrial DNA mutates at a known speed, it is possible to plot back and work out when the two gene sequences diverged. The team suggest that this was about 600,000 years ago: Neanderthals and modern human beings had a common ancestor who was living then. This ancestor was most likely *Homo heidelbergensis*, a hominid found in many



Dr Svante Pääbo explaining that Neanderthal Man died out in Europe as modern man's ancestors came out of Africa. "We are all Africans in disguise, so to say"



A replica of the skeleton tested for DNA. Bone samples were taken from the upper arm

places, including Boxgrove in West Sussex. The implication is that this species evolved into Neanderthal Man in Europe, but into *Homo sapiens* in Africa. Later, *Homo sapiens* migrated out of Africa and eventually replaced Neanderthal Man in Europe.

"We are all Africans in disguise, so to say," Dr Pääbo said yesterday, "and that's a finding of major importance."

Dr Stringer, who has long argued in favour of the "out of Africa" hypothesis, is delighted to have it confirmed. He said that the same technique should be applied to Neanderthal fossils from other places — China, Java, and Australia — to see if it confirms the finding.

While Neanderthal is still used as a term of abuse, the old image of a stumbling, stooping heavyweight with his knuckles trailing on the ground has been refined by recent studies. "Neanderthals were human beings," Dr Stringer said. "Their brains were as big as ours, in fact slightly bigger. They walked

upright, they hunted, they made tools."

What they seem to have lacked was the magic ingredient in human evolution: culture. They did not paint and probably did not speak. Their stone tools remained unchanged for tens of thousands of years, and only developed after they came into contact with modern human beings and began to copy more sophisticated designs.

They lived in difficult times, when ice covered much of northern Europe. As the ice retreated about 50,000 years ago, it became easier for modern man to spread from Africa into what had been Neanderthal territory. The two groups co-existed and may, for all we know, have fought. But they did not apparently interbreed.

Eventually, modern man dominated, and Neanderthals declined. It took thousands of years, and could have been accomplished by something as small as a minor difference in birth and death rates between the two groups. Such a total

population replacement, according to Dr Paul Mellars, of Cambridge University, could have been achieved without dramatic confrontation, let alone mass genocide.

The Bonn skeleton is of unknown age; it has never been carbon-dated and came from a quarry which provided no stratigraphic date. But Dr Stringer guesses it must be around 30,000 years old. The oldest DNA that is generally accepted came from a mammoth fossil 100,000 years old, but that had been preserved in the Siberian permafrost.

Two factors may have made it possible to get the DNA from the Bonn bone. First, it was found fairly far north, so may be better-preserved than bones from hotter places such as Israel, which yielded no DNA. And when it was conserved by the museum it was covered in varnish, something no modern museum would do. This may have prevented the interior of the bone from becoming contaminated with modern human DNA by handling.



Impression of a Neanderthal family group outside Gorham's Cave, Gibraltar

Churchgoing policeman blackmailed prostitutes

BY A STAFF REPORTER

A "CRAFTY and unprincipled" police sergeant who posed as a vice squad chief to blackmail two prostitutes was jailed for eight years yesterday.

Ian Vale, a churchgoer and father of two, manipulated police investigations so that one of his victims would not be prosecuted. He also arranged for some of Shirley Campbell's whips and canes, seized during a police raid, to be returned so that she could continue making money.

The prostitute told Knightsbridge Crown Court, London, that she had feared for her life at Vale's hands. She gave an initial £5,000 "protection money" during a brief meeting in a side-room at Kensington police station. She also recalled him telling her that all the local "working girls" gave him money regularly.

Vale, 37, of Claygate, Surrey, looked stunned as the jury returned majority guilty verdicts. Passing sentence, Judge Christopher Horden, QC, said that he had taken advantage of his position "to blackmail extremely vulnerable people".

Vale will be dismissed from the force. He was convicted of three counts of blackmail between March 1993 and March 1994. The jury acquitted him of

a fourth similar charge and found him not guilty of one count of corruption and one of procuring sexual intercourse with Miss Campbell by threats.

The two-week trial was told that Vale, who joined the force after graduating from university 15 years ago, first "used and abused" his position after being told to investigate complaints about a brothel in Earl's Court. He led a raid on the premises and Miss Campbell was arrested. A lorry load of her equipment, including whips, cages, masks and handcuffs, was seized.

Thirty minutes after being released on bail he arrived at her flat, asking for £1,000 a



Vale demands for cash were tape-recorded

week to protect her from more police raids. She left her flat but he pursued her and she reluctantly agreed to pay him £500 a week. Later she and her maid to the police station with £5,000, after which she learnt that she would not be prosecuted for keeping a brothel.

The court was told that Vale was caught after he turned his attentions to a second prostitute, who cannot be named for legal reasons. She mentioned his demands for money to her landlady, who called in the police.

A surveillance operation was set up and he was secretly taped demanding £300 a month for protection. Vale told her that she would be "busted" and left jobless if she did not comply.

Vale told the jury that, whatever he might have said to the two prostitutes, his comments were merely meant to encourage them to become police informants and to provide information about drugs in the area.

Outside court Detective Superintendent Aiden Thorne, head of the Metropolitan Police Complaints Investigation Bureau, said: "There is no room for anybody in the police service who is dishonest, unethical and corrupt."

Detective accused of M25 tip-off resigns

BY A STAFF REPORTER

A DETECTIVE who was arrested for allegedly tipping off the fugitive Kenneth Noye has resigned from the police force.

Detective Constable Charlie Bateman was arrested in April for allegedly passing on information about the police investigation into a notorious "road rage" killing on the M25.

He was suspended on full pay from his plainclothes job at Sevenoaks police station, Kent.

A Kent police spokesman confirmed that the 40-year-old officer had handed in his notice just over a week ago. He said: "An investigation into the allegations will continue and he must report back at the end of every month to the investigating officers."

DC Bateman and his partner, WPC Tracey McCabe, received certificates of merit last autumn after they spotted a stolen car which led to the recovery of stolen property, a double-barrel shotgun and ammunition.

The couple, who live in Kent, have a three-month-old baby.



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Teacher 'sacked for exposing abuse'

By TIM JONES

A TEACHER at the Royal Ballet School claimed yesterday that her career was ended "prematurely" in a "brutal dismissal" because she spoke out about the abuse of pupils.

Linda Goss, 44, who taught at the £20,000-a-year boarding school for eight years, said: "It was my life. I still cannot believe the way I was treated."

Ms Goss, a former dancer and teacher with the Bolshoi Ballet, alleged that she was demoted and made to teach junior pupils at the school in Richmond, west London, when she claimed that pupils were being bullied by staff or other children.

She told an industrial tribunal in Croydon that her fears had been corroborated by some parents who answered a questionnaire from Rich-

mond council's social services department. Ms Goss said she made her concerns known when she was interviewed as part of another internal inquiry carried out by the school's board of governors. "I felt the children were overworked and there was inadequate attention to healthcare and nourishment," she said.

Ms Goss, from Dartmouth, Devon, is claiming unfair dismissal and sexual discrimination. She said her first information that her job was at risk came when Dame Merle Park, 59, had criticised her in front of Japanese visitors to the school. She thought that had been cleared up after Dame Merle had met her and had been extremely complimentary, describing her as one of the best teachers in the school. But she said she was shocked when she was told she would be expected to teach

first-year boys and second-year girls instead of more senior classes.

In January 1996, she said, Dame Merle told her her services were no longer required. "I asked why she had chosen me and she said it was because of restructuring. She said I was a good teacher and no one need know my contract had not been renewed. She said she would help me to find another job. She was kind but resolute."

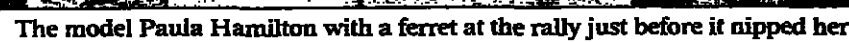
Ms Goss, who has been a teacher for the past 25 years, said that since leaving the school she had been unable to find work.

Earlier Dame Merle said she had been unaware of abuse to any of the 245 pupils. "We are extremely anti-bullying and we jump on it quite quickly," she said. A routine inspection by Richmond social services had found the school to be "happy". The hearing continues.

Michael Hornsby at the country sports rally

Heseltine: ban would not save a single fox

march and the last peaceful rally", he declared. Loudspeakers boomed out a reading by Robert Hardy of G. K. Chesterton's poem *The Secret People*, with its faintly menacing refrain: "For we are the people of England, that never have spoken yet."



BY PHILIP WEBSTER, POLITICAL EDITOR

Another senior government source said that the legislative programme was already tight and no commitment could be

Only a limited number of days are set aside for each Private Member's Bill, and it is easy for a well-organised group of opponents to "talk it out". The expectation at Westminster is that there is little chance of Mr Foster's Bill getting through.

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Three held over death of friend on holiday island

By Lin Jenkins

THREE friends of the Briton who fell to his death from a hotel balcony in the Spanish holiday resort of Ibiza were yesterday arrested. Police, who now believe that Jamie Morgan may have been murdered, also began to trace British tourists who were at his hotel.

Holiday companies throughout Britain are being contacted by officers from Devon and Cornwall Police, who want to trace people staying at the Hotel El Moro in San Antonio or nearby.

It was initially thought that Mr Morgan, 22, from Barnstaple in north Devon, had fallen by accident from the third-floor balcony of the apartment he was sharing with three childhood friends at dawn on June 23 after an all-night drinking spree. It was the first day of his holiday.

Detective Superintendent Mike Stephens said yesterday: "We have new evidence which has come to us. We are investigating a death which gives us reason to suspect it may be foul play. Obviously we want to speak to people who actually saw Jamie fall to

his death or any witnesses to the incident who were at the scene afterwards."

He added: "The Spanish authorities carried out an investigation which was co-ordinated by an examining judge. They are satisfied that the English police can continue with the inquiry. We have authority to investigate any suspicious death of a British subject abroad."

Mr Morgan had gone on holiday with Stephen Gagg, Russell Braund and Jason Barrow, all of whom are aged 23 and live in Barnstaple.

Yesterday police were holding them separately for questioning. Results of a post-mortem examination carried out in Ibiza have yet to reach police investigating Mr Morgan's death. A second examination has been carried out at North Devon District Hospital in Barnstaple. It and the arrests came after a visit earlier this week by Detective Inspector Bill Harvey and a colleague to the Mediterranean holiday island.

Mr Stephens said that 180 British people were staying at

the six-storey hotel at the time of the death. Most had booked through the holiday companies Club 18-30, Falcon and Twenties. "There are so many bars it is a different world", he said. Many stayed open until dawn, the time Mr Morgan died, and police wished to speak to people who had seen the four friends.

Mr Morgan's mother, Susan Godfrey, 47, who paid for his holiday, said he had been on holiday before with the same group of friends. She and her husband, Stephen, who worked with Mr Morgan at a factory in South Molton, and her sons Julian, 29, Daren, 27, and Steven, 25, had hoped to hold the funeral before what would have been his 23rd birthday next week.

She said her youngest son loved golf, fishing and music. "He lived for the day and knew so many people. Everyone knew him and liked him."



British model Karen Elson as the bride in black

Lagerfeld yields to call of the wild

FROM HEATH BROWN IN PARIS

ON THE final day of the haute couture collections in Paris, Karl Lagerfeld presented a Nordic theme for Chanel. True to his Germanic roots, Lagerfeld gave his models wild Wagnerian locks to offset dramatically simple clothes.

Influences, we were told, range from 15th-century Swedish cavaliers to the Danish writer Karen Blixen. That translated as ankle-length skirts in rough-textured tweed, slim-cut cassock-style frock coats and tulle-enshrouded evening wear — all in the smoky colours of a stormy Scandinavian sky.

Christian Lacroix's presentation was the usual multicoloured fantasy we have come to expect but, though less garish than usual, full of energy and eccentricity.

The collections ended late with Thierry Mugler's super-sexy creations.



Simple dress, wild locks, by Lagerfeld for Chanel



Jamie Morgan, who died on a holiday with three friends. His mother, Susan Godfrey, paid for the trip

Popular novelist found dead in stream

By Robin Young

ALEXANDER CORDELL, 82, a popular novelist, has been found dead in a stream, clutching family photographs.

Mr Cordell's body is thought to have lain at the Horseshoe Pass, above Llangollen, Wrexham, for some time before it was discovered on Wednesday night.

Mr Cordell wrote more than 30 books, including *Rape of the Fair Country*. His titles sold more than three million copies, and many were translated for publication abroad.

He was born in Ceylon and educated in China. He had a career in the Civil Service before moving to north Wales to write about the Gresford Colliery disaster of 1934 in which 265 men were killed. Many of his books were about the exploitation and miseries of Wales.

Twice a widower, Mr Cordell had recently been something of a recluse, though three years ago he threw his weight behind a campaign against open-cast mining in Wales.

Police said the death is not being treated as suspicious.

Gang seizes banker's Rolex and his Ferrari

AN ARAB banker was beaten with an iron bar in a London street by a gang of robbers who stole his Rolex watch and his Ferrari.

Police believe the attack was one of a growing number of copycat thefts carried out by opportunists alerted to an easy crime by publicity.

The victim does not want his identity disclosed, and there has been no appeal for witnesses since he does not want to reveal where the attack took place. "Publicity would be beneficial in tracking down the culprits, but the victim does not want it," police said.

The man was beaten as he tried to resist the thieves when parking his £140,000 red car in Chelsea on Sunday. Three people drew up in a black BMW and ripped the £20,000 Rolex watch from him, causing fractures to his hand and wrist. His car was stolen as he lay on the pavement.

There have been many such attacks on wealthy people in London in recent months. Police, who are not linking the crimes, believe that several gangs are responsible. A specialist team has been deployed to detect suspects.

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Prince William yawns during the Duke's wedding

Weddings no place for children, says minister

By KATH GLEDHILL
RELIGION CORRESPONDENT

A CLERGYMAN wants to exclude young children from weddings because he says they misbehave and trivialise the marriage vows.

The Rev Ian Gregory, a Congregationalist minister, said: "Little boys and girls can be a thorough distraction and destroy the wedding. It is not a hen, but I tell parents I would prefer children under 8 not to be there. They can scream as much as they like at the reception."



Mr Gregory, and children on the palace balcony after the Yorks' wedding in 1986



"I am fed up of seeing little children dressed up like fairies or as page boys with no idea how to behave in a church. I am sick of waiting for the parents to take control. Instead they just seem happy to let them run riot."

Even royal children have misbehaved at weddings. Five hundred million television viewers saw Prince William, then four, stick his tongue out at a bridesmaid during the Duke and Duchess of York's wedding at Westminster Abbey in 1986.

Some churches are seeing a fall in the number of weddings since secular venues were hotels, were licensed for marriages. Discouraging children could cause numbers to decline further.

Mr Gregory, founder of the Campaign for Courtesy, formerly the Polite Society, is a minister in Newcastle-under-Lyme, Staffordshire. He said: "I did a wedding recently where halfway through the vows, a child got up onto the

pulpit with a collection pot on his head and was sneering at everybody. There have been situations when I have had to stop the service and ask someone to remove the child. I am not prepared to see what should be the most important day of people's lives turned into a farce."

Other clergy were surprised by his outburst, which comes at a time when all denominations are trying to attract young people to stem the decline in congregations.

The Rev Michael Ainsworth, of St Martin's in Worsley, Manchester, said: "Adults can behave worse, gazing around and talking. Children belong in church. They are part of the household of God."

The Rev Roy Allen, 54, of St Leonard's in Marston Green, Birmingham, said: "Often the people at weddings are those who seldom come to church, so we want to make them welcome. Fortunately I have a big voice so I can shout over the top of the children."



The Duchess's half-sister, Alice Ferguson, fires too

Law chief faces challenge over civil court fees

By FRANCES GIBB, LEGAL CORRESPONDENT

THE Lord Chancellor is under pressure from the legal profession to rescind civil court fee increases of up to 150 per cent and exempt all those on low incomes.

Lord Irvine of Lairg, QC, will face hard questioning in the House of Lords next week in a debate on the fees, which were increased under the previous government without any parliamentary debate. Peers led by the former law lord, Lord Ackner, will ask Lord Irvine what steps the Government intends to take to protect the right of access to the courts for those on low incomes.

bringing the total annual fee income to £310 million — almost the entire cost of running the civil courts.

Vicki Chapman, policy officer of the Legal Action Group, said yesterday: "Coupled with a range of new fees, these increases will act as a major deterrent to many low-income households already hit by cuts in legal aid eligibility."

She called on the Lord Chancellor to withdraw the increases and the new fees and to extend automatic remission to those on certain benefits.

Lord Ackner said: "The former government's actions dealt a constitutional blow for access to justice. In seeking to make the Court Service fully self-financing, it rode roughshod over an important constitutional principle, that is, the Government's duty to provide affordable access to the courts as a precursor of the right to a fair trial."

The increases, which came into force in January, also brought in some new fees. The Bar, Law Society and Legal Action Group have consistently criticised the increases, which are aimed at recovering an extra £50 million a year,

The Bar said the increases were "unfair and unconstitutional". Robert Owen, QC, Bar chairman, said: "The Bar Council is committed to working with others to make justice affordable, accessible and cost-effective." He added: "Spiralling court fees have only one effect and that is to deny access to justice for people on low incomes."

The new fees regulations originally contained provisions to abolish exemptions for people on income support. These were overturned in a scathing High Court judgment from Lord Justice Rose and Mr Justice Laws.

Law report, page 39

"Here's some really exciting news about interest rates,"

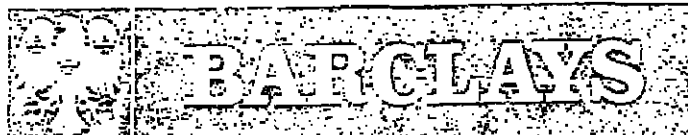
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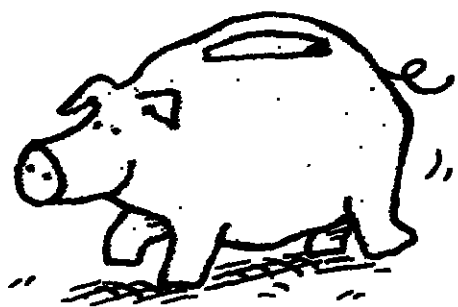
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Skye campaigners claim victory in bridge tolls case

BY SHIRLEY ENGLISH

THE future of the Skye Bridge tolls was thrown into confusion yesterday when a sheriff ruled that the legislation giving power to demand money to cross the bridge did not specify who had to pay.

Dingwall Sheriff Court erupted with cheers when Sheriff James Fraser dismissed the Crown's criminal case against two non-payers. Islanders have been campaigning against the charges since the bridge opened in October 1995.

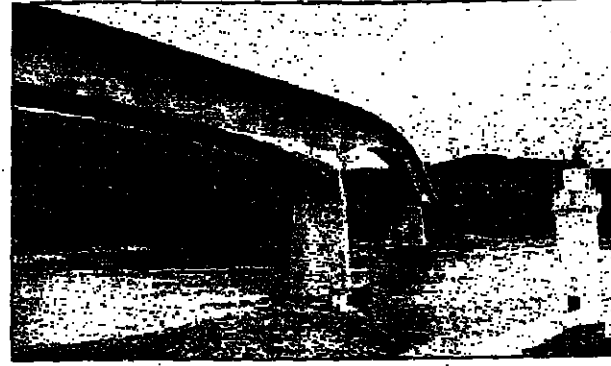
He agreed with their defence counsel, Michael Upton, that the law only stated that charges could be made for vehicles crossing the Skye Bridge, but did not specify who was liable. Mr Upton claimed that, as a result, the

tolls could be connected with a number of people, such as the owner, driver, hirer, keeper or passenger, and it was therefore legally unsound to prosecute only the driver.

Yesterday, Sheriff Fraser said: "Legislation, and more particularly and more strictly when the provisions are penal, should say what it means and mean what it says."

He agreed with the Crown that the most probable implication was that occupiers of traffic using the tolled bridge should pay but added: "most probable is not good enough. Legislation must be clear and its provisions must be certain."

The decision cast doubt over all past and future prosecutions for non-payment. About 500 cases are pending at Ding-



Skye Bridge, which was opened in October 1995

wall, and 80 people have been fined and given criminal convictions for non-payment.

Skye Bridge Ltd, the private company which built the bridge and is responsible for collecting tolls, said that it would now rely on its discretionary powers to prevent

people refusing to pay from crossing.

The Sheriff gave leave to appeal to the High Court against his decision and, the Crown Office last night confirmed that it would be appealing. The Scottish Office said last night that the Sher-

iff's judgment "does not appear to make the tolls unlawful, nor to alter the fact that non-payment is in principle a criminal offence".

The Sheriff made his ruling a day after the Lord Advocate, Lord Hardie, announced a change in approach towards prosecuting non-payers. He said that only persistent offenders would be charged in future to avoid further delays at Dingwall court.

The two non-payers whose cases were dismissed, Alasdair Maclean, 41, from Fortree, and Irene McGugan, 44, from Letham, Angus, were jubilant. Mrs McGugan said: "It is a most historic moment. Not paying the toll was the most difficult decision I have ever made in my life. I was risking getting a criminal conviction for the first time, but I

felt I had to support my friends on Skye who have this dreadfully high toll to pay every time they use the crossing."

Myrna Scott-Moncrieff, chair of Skye and Kyle Against the Tolls, said: "This is a real victory." The campaign called for outstanding prosecutions to be dropped and urged those already fined to seek to have their convictions quashed.

The bridge was a project of Michael Forsyth when he was Scottish Secretary in the Conservative Government; last week his Labour successor at the Scottish Office, Donald Dewar, cut concessionary tolls for locals crossing the bridge by half to £1.25. But the cost of getting to Skye for visitors was left at £5.40 per car, crossing during the high season, angering islanders concerned about the adverse effect on tourism.

Andrews 'driven to suicide attempt by guilt at death'

BY JOANNA BAILE

TRACIE ANDREWS, accused of the roadside murder of her fiancé, Lee Harvey, allegedly tried to commit suicide after his death because she was "consumed with guilt", a court was told yesterday.

Detectives were seen repeatedly challenging Miss Andrews about her claim that Mr Harvey was killed in a dispute with another motorist in two hours of videotaped police interviews shown to Birmingham Crown Court.

Asking her about a suicide attempt shortly after Mr Harvey's death, Detective Sergeant Michael O'Donnell inquired: "Why did you try to kill yourself, Tracie?"

Sitting with her arms folded, she did not reply and her lawyer advised her not to answer "grossly improper" questions. In the interview, on December 19, 18 days after Mr Harvey's death, Sergeant O'Donnell continued: "You tried to take your own life because you were consumed with guilt". She replied: "It was because I wanted to be with him."

Sergeant O'Donnell then said: "You are riddled with guilt really, aren't you Tracie?" She replied quietly: "No".

Urging her to tell him the truth, he asked her: "Do you find it hard to tell me about it?" She said: "I am trying to tell you everything."

She went on: "I just feel so helpless. You are just saying all these things to me... I've just lost my boyfriend. I wanted to be with him. If I had done this and was trying to get away with it, why would I try to kill myself? My whole life has been turned upside down."

I know it's selfish to take my own life. I said in the hospital that I just wanted to be with him, that I could never be with anyone else."

Miss Andrews, 28, who sat hunched and with her arms folded tightly across her body for most of the video, admitted that she had a "stormy" relationship with Mr Harvey, with whom she shared a flat at Alvechurch, Hereford and Worcester. She said: "I know we had our ups and downs but we really loved each other."

She agreed that they had split up several times but

"I know
it's selfish
to take my
own life...
I just
wanted to
be with him"

pointed out that they had always reunited. She explained that their arguments were usually over the father of her daughter, Karla, who often visited, and about Mr Harvey's daughter, Danielle. She said: "It's hard when you have kids from different relationships and you are out of work."

Earlier, Sergeant O'Donnell challenged Miss Andrews to admit murdering her 25-year-old fiancé during a row on the journey home from an evening in a pub a few miles from their home.

He told her that a large clump of her hair was found near Mr Harvey's right hand, with a few strands between his fingers, and that witnesses had seen their car near the murder scene, with no sign of another car, as she claimed.

He continued: "You and Lee have had an argument and you have gone over the top. At the end of it and when you realise what you have done,



Andrews arriving at court yesterday. Police said she was "consumed with guilt"

you wait around there thinking a story up. I bet you stood there and thought 'God, what have I done?' There were over 30 wounds in his neck Tracie, that's a frenzied attack... and those wounds have been caused by you." She replied: "No".

Later, the court was told by Ronald Thwaites, QC, for the defence, that five informants, including one "respectable middle-aged man", had

named the same person, known as Mr X, as responsible for the murder of Mr Harvey. One had seen Mr X, a drug dealer with criminal convictions, following Mr Harvey out of the pub on the night he died.

Mr X was known to be unable to drive and to travel as a passenger in a dark-coloured Ford Sierra. Miss Andrews claims that the passenger of such a car killed

Mr Harvey. Mr Thwaites accused Detective Superintendent Ian Johnston of West Mercia police, who led the murder inquiry, of "attaching little importance" to Mr X, despite information that he and Mr Harvey may have been involved in a dispute over drugs. Mr Johnston denied this, but admitted he had never interviewed Mr X. Miss Andrews denies murder. The trial continues.

Girl's lip recovered from dog's stomach

BY SHIRLEY ENGLISH

A GIRL aged 3 who had her top lip bitten off by a dog was recovering yesterday after an operation to reattach the flesh, which was recovered from the animal's stomach.

Megan MacFarlane of Arbroath, Angus, was given emergency surgery at Dundee Royal Infirmary after a neighbour's 7 st bull mastiff pounced as she ate ice-cream outside her home. A vet who had been called to the scene to put the dog down, cut it open and found the lip. Surgeons praised his prompt action.

Yesterday Megan smiled and played at the hospital as her mother, Julie, 25, said: "I would never have thought that Megan's lip could be put back on. There was nothing where her lip used to be. It will be 72 hours before surgeons know whether the operation has been a success."

Mrs MacFarlane had allowed her daughter to go to the ice-cream van alone but insisted that she watch her from the window. She said: "There was nothing I could do. On her way back the neighbours came out with their two bull mastiffs and they went for her."

John Kneen, the vet, said he decided to cut the dog open when he realised police had failed to find the severed lip after searching the area. "The only place that the lip could be was inside the dog," he said. "It was very dirty in the stomach but I didn't clean the piece of lip properly because that might have removed some of the tissue. Luckily the dog owner did not need any persuading. They put their personal feelings aside as soon as they knew the situation. The dog did not mean any harm, it was going for the ice-cream. I had treated the dog in the past. It was in no way an ill-natured dog."

Hague's school fights sell-off

BY PAUL WILKINSON

THE school where William Hague had his first lessons in politics is appealing to the Government over plans to sell one of its playing fields.

Labour-controlled Rotherham council agreed to sell the field at Wath-upon-Dearne Comprehensive in south Yorkshire on the day the school won a national award for its sporting excellence. The move comes as the Government began an investigation into the sale of school playing fields throughout the country.

Councillors have sold the land, which includes the First XI cricket pitch, for housing to

raise cash. School staff and governors are now planning to appeal to Stephen Byers, the minister responsible for school standards.

Robert Godber, Wath's deputy head and the Tory leader's first mentor in statecraft in the 1970s, said: "Rotherham has an enviable reputation for sport. It would be awful to jeopardise that. Once it has gone we will not get it back."

West Heath School, near Sevenoaks, Kent, which was attended by Diana, Princess of Wales, is to close next week after governors rejected a rescue package devised by parents.

Cleaner at Radley was unfairly dismissed

BY A STAFF REPORTER

A CLEANER at a public school won her claim for unfair dismissal after a tribunal said that the personality clash that split the ancillary staff into two camps.

Patricia McBeth, 44, had been held in high esteem at Radley College, Oxfordshire, for more than five years when a new cleaning supervisor was appointed in 1994 to tackle falling standards.

The cleaner said that the supervisor, Jeanette Anderton, told her she must extend her working hours and then moved her to a different building. Mrs McBeth, who earned £3.25 an hour, felt that she was being victimised.

The industrial tribunal at Reading was told that the conflict between the old and new guard broke the 90-strong cleaning staff into two factions.

Mrs Anderton began keeping a diary. In January Mrs McBeth found the diary and took it from the college. She said: "I was shocked when I read the lies about my conduct and conversations. My husband and I agreed to photocopy it and I gave it back."

Richard Beauchamp, college bursar, said that was gross misconduct. When Mrs McBeth failed to satisfy him that she would improve relations with Mrs Anderton, he dismissed her with full notice and £1,000 in settlement.

The tribunal ruled that Mrs McBeth had been unfairly dismissed because the college had not made sufficient effort to resolve the problems. She was awarded £622.

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- Approximately 50% of intercontinental services to and from London Heathrow.
- Approximately 40% of intercontinental services to and from London Gatwick.
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Saturday 12th July and Sunday 13th July

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We would like to offer our sincerest apologies to any customers who are being inconvenienced by the current action. Rest assured that we are doing all that we can to keep disruption to a minimum and most importantly to bring this dispute to a satisfactory conclusion as soon as possible. If your flight is affected, we will endeavour to organise alternative travel arrangements for you to reach your destination.

BRITISH AIRWAYS

Ministers are again accused of managing Commons business to their own advantage. **Polly Newton** reports

And Paul Tyler, the Liberal Democrat Chief Whip, asked Mrs Taylor to remember that it was not a "mini Budget" and

Alistair Darling, Chief Secretary to the Treasury, said that ministers had been left with no choice but to impose a guillotine after failing to reach

ter" during the passage of earlier legislation to scrap the Assisted Places Scheme underlined the need to ensure "orderly" progress on the Finance Bill. And he recalled that the



Mrs Taylor said the Bill would bring "very major benefits" to many people and it was important to push ahead with it "on that basis".

The former Tory Cabinet Minister Peter Brooke (Cities of London and Westminster) said that many people in his constituency who wanted to advise on the detail of the Budget would be put under "very considerable strain" because of the guillotine motion. He added: "Was the Bank of England consulted as to whether this accelerated

to-work scheme for the long-term unemployed and the young unemployed; as well as plans to cut VAT on fuel and abolish tax credits on pension fund dividends.

RIDDELL ON POLITICS

time to comment on a Finance Bill. With the November Budgets of recent years, there has usually been over a month before the Finance Bill is published, then consideration

enacted this month, with the complicated new proposal affecting companies and pension funds put in a second Bill to be debated in the autumn.

The hurried consideration of the Finance Bill also goes against the spirit of the proposals for increased consultation on legislation, including both draft clauses and inquiries on Commons committees, which Mr. Baylis has proposed to the Select Committee on Modernisation. Gordon Brown is trying to do too much too quickly, and, at one stage, even apparently wanted to do more. The Government could show that it means what it says about reforming the Commons and improving legislation by consulting Commons members until the autumn. But that is not the current mood in Whitehall, and especially the Treasury.

PETER RIDDELL

Top pay deal goes ahead

JUDGES and senior military officers have had the threat of the second phase of their pay rise this year removed (Philip Webster writes). - Treasury ministers have confirmed that they cannot stop the second stage of this year's top people's pay award as they had suggested they might while in

Opposition. To do so would have required special legislation, which ministers have decided would not be worthwhile. However, Gordon Brown, the Chancellor, is certain to take this year's award into account as he determines his attitude to next year's and a freeze is not ruled out.

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Salmon spotted in Kent river cleaned of sewage

By Nick Nuttall, Environment Correspondent

SALMON have been found in the Medway for the first time in more than a hundred years, a sign of their remarkable recovery across Britain.

Conservationists and officials at the Environment Agency said yesterday that clean-up campaigns on many rivers were beginning to pay off. Salmon are returning to the Trent in significant numbers and are being seen in the Tees, Tyne, Humber and Ebbw.

The agency's northeastern office said that a salmon was spotted on the River Don, near Doncaster, last year. "Our staff could not believe it was real," a spokeswoman said. "But the fact that it has survived is a testimony to how once heavily polluted rivers are getting cleaner."

The salmon discovered in the Medway, in Kent, was just below Allington lock, north of Maidstone. Until recently the river was heavily polluted by sewage and discharges from paper mills.

"The salmon weighed 10lb and was in beautiful condition," a spokesman for the agency's southern region said. "Its mate, estimated to be a 12lb to 15lb fish, leapt into the air, pirouetted, and swam off down river at top speed." The last official confirmation of salmon in the Medway was in the 1880s.

John Cave, the agency's Kent area fisheries scientist, said: "The return of salmon is

indicative of environmental improvements because the species requires good quality water in which to thrive."

Chris Poupard, of the Salmon and Trout Association, said that the salmon may have spawned in the Thames. Salmon were first seen returning to the Thames in 1974 and great efforts have been made to allow the salmon to get over locks and weirs to spawning grounds.

At the moment, returning salmon in the Medway are unlikely to raise young. In the past they would have been able to reach the river's headwaters, which run into East Sussex. But locks and other barriers now bar their path. Later yesterday the female salmon which had been spotted was found dead.

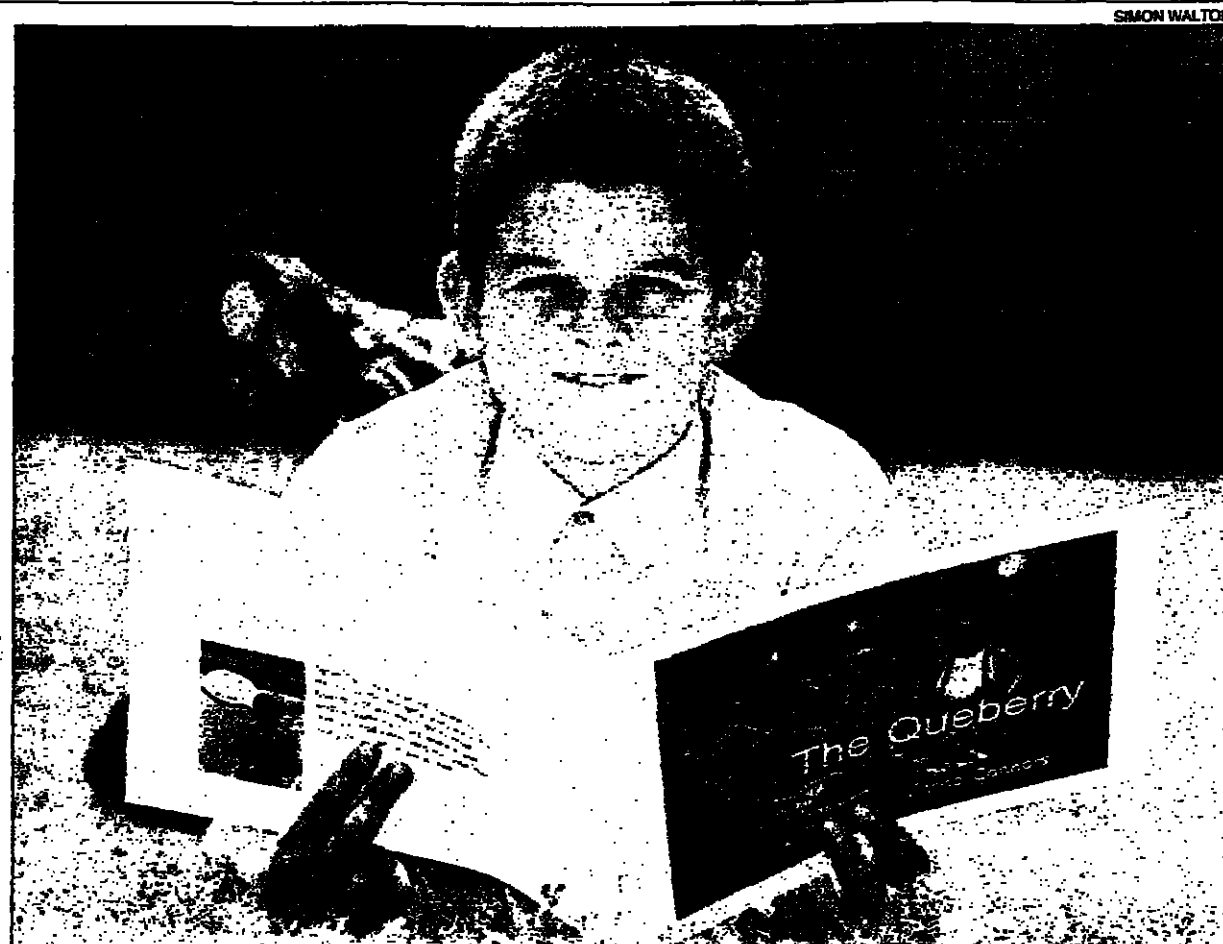
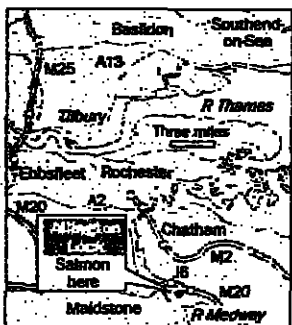
The agency is to look at ways of making it easier for Medway salmon to spawn.

Cleaning estuaries in other areas of Britain that were

heavily polluted by industry is also boosting fish populations. Salmon are being seen in the Swale and Ure in Yorkshire, following a clean-up of the Humber. A spokesman for the agency's northwest region said yesterday that salmon had been confirmed in the Calder in Lancashire for the first time in years. Experts say that the next big river where salmon could return is the Mersey where strenuous efforts are under way to clean up decades of pollution.

Other rivers witnessing a return of salmon since the early 1980s are the Taff and the Rhyymney, which meet the sea at Cardiff. The Taff used to run black with coal dust during heavy rain. The Ebbw, whose mouth is Newport, saw salmon return in the early 1990s. It used to be so polluted by a steelworks that it ran red.

However, some rivers that once had good salmon stocks are seeing a decline in numbers, because the gravel beds in which salmon spawn have silted up. Researchers have linked the damage to urbanisation of the countryside, so that rain, instead of soaking into the soil, is swept off roads and concrete, washing mud into waterways. Farmers also now plough fields up to the edges of rivers, and so more mud and silt is washed off the land and there is greater erosion of the river bank.



Jacob Connors, 10, who has a reading age of 5. His book is being used in schools and is to go on sale

By Paul Wilkinson

Boy's fantasy tale becomes reality

JACOB CONNORS has had his first book published at the age of 10, even though he can barely read or write. He dictated his fantasy story, *The Queberry*, into a tape recorder and it was transcribed by his teacher.

The book tells the story of underworld creatures called queberries. They are fat with long, pointed chins and banana-shaped arms, and have a habit of flicking half-eaten sausages at people.

Jacob, from Bradford, who has the reading ability of a

five-year-old, got his inspiration while camping in the Lake District with his family. Soon afterwards his teacher at Gregory Middle School asked him to go through the alphabet naming an animal beginning with each letter. When he got to Q he said queberry.

The teacher asked for more

details and was so impressed by the story Jacob recounted that she persuaded Bradford City Council's education department to publish it, with the aid of grants from the Department for Education and Employment and the European Union. Copies, price £3.50, are available from the education department and are to go on sale in book shops in Bradford. Schools in the area are using the book in language development classes.

Jacob said: "I can't wait to see the book on sale in the shops. I'm getting much better at reading and writing now. I like telling stories and I'd love to write for a living when I'm older."

John Flockton, his head teacher, said: "Jacob has struggled with reading and writing since he joined us nearly two years ago. Seeing his story in print has boosted his confidence no end."

ITV poaches Capital Radio boss to win back missing viewers

By Alexandra Frean

ITV has poached Richard Eyre, the most successful figure in commercial radio, to be its chief executive in an attempt to reverse its declining ratings and restore the confidence of its paymasters, the advertisers.

The appointment will catapult Mr Eyre, who has run Capital Radio for nearly six years, to the top of Britain's biggest television organisation as it faces challenges from Channel 5 and the impending launch of scores of digital channels. He will be paid about £500,000 a year. His first task

will be to create a strengthened and centralised management structure for ITV and to fill a number of senior positions. The job of ITV network director will fall open at the end of August when Marcus Plantin leaves. David Liddiment, of Granada UK Broadcasting, and Nick Elliot, head of drama at ITV, are strong contenders. The new ITV chief executive will also need to appoint a new marketing director and a commercial director.

Mr Eyre, 43, who oversaw Capital Radio's expansion from two radio licences to 12, will have to halt the steady decline in ITV's viewing

share, which has dropped from 36 per cent in the early 1990s to 32 per cent now. ITV has suffered badly at the hands of BBC1, which now lags only 2.5 percentage points behind it, against 8 points four years ago.

Although best known for his work in radio, Mr Eyre spent much of his early career in television advertising. He is widely respected for his strength of purpose and his integrity.

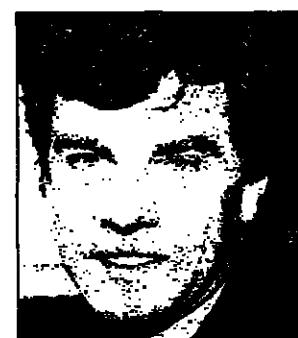
It is understood that his skills as a conciliator brought him to the attention of ITV, which has suffered from the inability of the big and small regional broadcasters that make up

the independent television network to pull together. ITV has had no chief executive for two years, believing that the job was not relevant to its federal structure. With a cut in the number of ITV companies from 15 to seven, there is now a widespread recognition within the industry, however, that the broadcaster needs a leaner, more centralised structure if it is to maintain its lead as the dominant television player.

Leslie Hill, chairman of ITV, said: "The ITV companies recognise that it is good to have somebody who knows the industry from the advertising

perspective... The idea is to give him more power and responsibility than the post has had in the past."

Mr Eyre, who will be leaving Capital on September 30, said in a statement yesterday: "This is a unique challenge. There are enormous opportunities for ITV to build on its position as the country's most popular channel." His position at Capital Radio will be filled by David Mansfield, 43, the company's group managing director.



Letters, page 23
City commentary, page 29

Eyre: £500,000 pay deal

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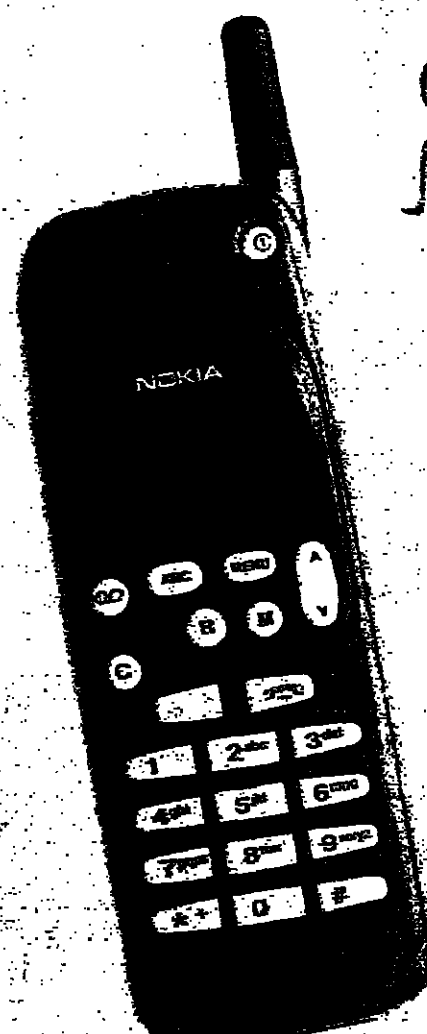
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Heritage team adopts image fit for the future

By CAROL MIDGLEY
MEDIA CORRESPONDENT

IF ANYTHING symbolises the Government's determination to bring a new approach to Whitehall, it is the plans for the Department of National Heritage. Ministers have decided to shed its stuffy image and rename it the Department of Culture, Media and Sport.

Chris Smith, the new broom, intends to sweep away the cobwebs left by his predecessors, Peter Brooke, Stephen Dorrell and Virginia Bottomley.

Labour always disliked the "old-fashioned" title of Department of National Heritage (there is Latin for yesterday) chosen by the Conservatives when they established it in 1992 under David Mellor. With the so-called Ministry of Fun a mere five years old, the new name is meant to look to the future and the new millennium.

Mr Smith wants to inject a bit of excitement and real fun in what is billed to be the most thrusting and fastest growing department in Whitehall. He has already presided over a name change for the controversial Greenwich dome to mark the year 2000. The rather dull Millennium Exhibition now becomes the infinitely flashier Millennium Experience.

Film, sport, broadcasting, arts and tourism, they say, will be the growth areas of the future. Tourism in particular has been identified by Tony Blair as a rapidly developing industry.

When Chris Smith was appointed Secretary of State for National Heritage, many observers interpreted it as a demotion from his former post as Shadow Health Secretary. But within his first eight weeks he has rarely been out of the headlines, illustrating the high importance the new Government is placing on cultural issues.

Apart from having a public

THE WHITEHALL REVOLUTION

Department of Culture, Media and Sport



Cultural HQ: the department is expected to be the fastest growing in Whitehall

bust-up with the directors of Camelot, the National Lottery operator, over their pay increases and bonuses and ordering them to hand over more money to charity and the good causes (a significant victory) Smith has also struck a blow for "people culture". He wants to force the Royal Opera House to widen the range of cheaper tickets and increase the number of broadcast performances to make them more accessible to the public.

Mr Smith is also keen to review recent changes made by John Birt, director-general of the BBC, to the Corporation's structure and he may soon appoint some of his own hand-picked BBC governors. The future of the much-vilified millennium dome has also been settled and placed in the hands of Peter Mandelson, Minister without Portfolio.

Under Mr Smith's guidance the National Lottery will be run by a non-profit making body when Camelot's licence

expires in 2001. His department will also oversee the establishment of the Academy of Sport, a centre of excellence intended to produce future champions.

Andrew Marre, the department's head of information, said: "Everyone has recognised that the name Department of National Heritage looks backwards a bit when it is in fact a department for the future and the modern era. Heritage is only a part of what the department is responsible

for. It represents a large chunk of GDP."

From their offices in Cockspur Street, just off Trafalgar Square and facing the National Lottery's London headquarters, the department's 360 staff are responsible for seeing through government policy relating to the arts, broadcasting, the press, museums and galleries, libraries, sport, heritage and tourism. They are preparing for the relaunch of the department, probably in two weeks. New stationery is being ordered but officials insist that costs are being kept to a minimum. The department has a budget of about £1 billion a year.

Mr Smith has divided up ministerial duties between Mark Fisher, whose brief includes museums and galleries, libraries, information technology, the government art collection, education issues, architecture and design, and Tom Clarke, who has become Britain's first Minister for Film and Tourism.

But organisations are calling for Mr Smith to "sort out the diabolical mess the Arts Council and Heritage Fund have made of lottery money distribution", as one described it.

The assessment process and the administration has caused endless frustration. Applicants believe that they are being turned down for the most spurious of reasons and voluntary groups that produce applications in their spare time feel that they are wasting months of effort.

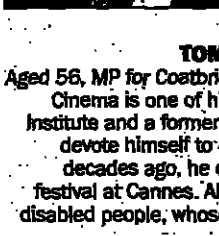
Arts, pages 35-38

Department of Culture, Media and Sport

CHRIS SMITH: Secretary of State
Aged 46, affable and eloquent MP for Islington and South Finsbury. Highly intelligent (First in English from Cambridge and PhD). Former unpaid director of Shelter and Sadler's Wells Theatre. His appointment was surprising given his previous job as Shadow Health Secretary, but welcomed by arts organisations. Has had a tricky few weeks after his old Labour outrage over Camelot directors pay and having to hand over the Millennium Experience to Peter Mandelson. Plays National Lottery every Saturday.



MARK FISHER: Minister for Arts
Aged 52, MP for Stoke-on-Trent Central since 1983. After Eton and Trinity College, Cambridge, he went on to produce documentary films and write scripts. Highly respected in the arts world but can be long-winded and give impression of being a know-it-all. Various figures lobbied in his favour when it seemed that he would not get the post. His father, Sir Nigel Fisher, was Tory MP for Kingston-upon-Thames.



TOM CLARKE: Minister for Film and Tourism
Aged 56, MP for Coventry and Craydon and Britain's first Film Minister. Cinema is one of his first loves. A former governor of the British Film Institute and a former director of the Scottish Film Council. Promises to devote himself to resurgence of British film industry. More than two decades ago, he entered a short film about football in the amateur festival at Cannes. Also committed to improving access to cinemas for disabled people, whose cause had been his brief as a Shadow minister.



TONY BANKS: Minister for Sport
Aged 54, MP for Newham North West. Graduate of York University and LSE. Quick-witted and funny, one of the few die-hard Left who do not take themselves too seriously. Declared himself "gobernado" when appointed, saying it was like going to heaven without having to die. One or two early griffs, such as being seen crossing his fingers as he was sworn in, and suggesting a United Kingdom football team. Admitted that there had been "some glitches in my transition from saloon bar stage to world statesman".



ALICE MAHON: Parliamentary Private Secretary
Aged 59, hard-left MP for Halifax and member of the Campaign Group. Daughter of a bus mechanic and a textile worker. Former lecturer at Bradford and Ilkeley Community College.

JULIAN ECCLES: special adviser
Aged 39, former PR consultant and Labour Party adviser 1984-89 and election co-ordinator in the General Secretary's office in 1992.



JOHN NEWBIGIN: special adviser
Former adviser to Neil Kinnock 1986-82 and later adviser to the then producer Sir David Birt. Will focus mainly on Lottery, legislation, Nesta and millennium festival.

The In-Tray

● Millennium festival: although building of millennium dome is now the responsibility of Peter Mandelson, the Department of Culture, Media and Sport will still oversee the festivities in 2000.

● National Lottery: reform with the aim of running it as a non-profit scheme under Chris Smith. Continual liaison with Camelot, the present operator, despite strained relations.

● The arts: ensuring greater access for ordinary people to museums and performing arts, such as opera, through lower prices.

● Channel 4: Smith has confirmed that the station will not be privatised but its funding formula is still to be finalised.

● Sport and broadcasting: the department must determine which key sporting events (eg FA Cup final, Wimbledon) must continue to be shown on free terrestrial television.

● Academy of Sport: establishing a

centre that will bring together the best of British sporting talent and trainers to produce future champions.

● Funding: setting up Nesta, the National Endowment for Science, Technology and Arts.

● Tourism: working towards establishing a common grading system for hotels, holiday camps etc.

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Court backs police over identifying paedophiles

Adrian Lee and Lin Jenkins report on ruling over public's right to know

POLICE were right to warn the public when two convicted paedophiles moved into their area, the High Court ruled yesterday in a judgment that has serious implications for future policy on sex offenders.

Lord Bingham of Cornhill, the Lord Chief Justice, said a blanket policy of revealing the identities and past of all paedophiles would be objectionable. But in exceptional cases, where there was a risk of further crimes, the public had a right to know. "The police have a job to do."

The ruling prompted calls for the Home Office to draw up a unified policy for all police forces. Concern was also expressed that paedophiles would be driven underground and denied help.

Lord Bingham, sitting with Mr Justice Buxton, dismissed a challenge by the married couple, who for legal reasons can only be called AB and CD. They had claimed that a decision by North Wales Police to "out" them was unlawful.

Police identified the couple, who had convictions for rape and indecent assault and had served seven years in jail, to the owner of a caravan site near Wrexham at Easter. Officers feared that they might harm children holidaying in the area. Fearing for their safety, they moved on.

The husband and wife, aged 46 and 42, were given leave to appeal by Lord Bingham, who said the case had "far reaching implications". Generally, the

identity of a sex offender should be protected, he said, but it was not an absolute policy. "Although I consider that the policy and the conduct of the North Wales Police fell well within the bounds of legality, the applicants have drawn attention to a pressing social problem."

"It is not acceptable that those who have undergone the lawful punishment imposed by the courts should be the subject of intimidation and private vengeance, harried from parish to parish like paupers under the Poor Law," Michael Furdon, the couple's solicitor, said afterwards. "It's God help them after this, just watch. It is a case with immense social implications. It involves the freedom of the individual and the scope of the powers of the police and other crime prevention agencies, and it has got to be considered by the Court of Appeal." He said the couple were now living a nomadic existence.

Paul Cavadino, principal officer of the National Association for the Care and Resettlement of Offenders, called on the Home Office to publish a code of practice. "Disclosure of identity should be restricted to the most exceptional situations. Public concern is absolutely valid but there is a danger, if paedophiles are named, that they will move around from place to place and make it more difficult to get treatment and for police to carry out surveillance."

He said he feared sex offenders would try to avoid a register of serious offenders, to be set up in the autumn under the Sex Offenders Act, if they believed their names would be made public.

The Home Office, which earlier this year concluded that there were almost 110,000 convicted paedophiles living in the community, said it would be compiling a list of guidelines for police.

A spokesman for the Association of Chief Police Officers said that although policy was up to individual police forces, it was accepted that alarmist, large-scale public warnings were not appropriate.



Lord Bingham: rejected married couple's claims

Law report, page 39

Professor fondled two male patients

By A Staff Reporter

A HOSPITAL consultant who fondled two male patients yesterday found guilty of serious professional misconduct involving indecency.

The General Medical Council's professional conduct committee found that Ariel Lant, 61, head of the therapeutics department at Chelsea and Westminster Hospital, had behaved "improperly and indecently" towards Mr A, 19, a student, and Mr B, 28, a homosexual businessman.

The professor, of St John's Wood, north London, fondled the patients during two consultations in 1994, the committee was told.

Professor Lant, author of many papers on the effect of drugs on kidneys and the cardiovascular system, denied the allegations. Cross-examined by Rosalind Foster, for the council, he denied trying to "disparage or blacken the characters" of Mr A and Mr B. He described their claims as "nonsense and fantasising".

The professor admitted that he had embarked on "shock tactics" to warn both men about the dangers of tattooing and body-piercing. Both men were "irresponsible", he said, and he felt it his duty to warn them that such acts brought with them a great deal of danger if sterile needles were not used.

The committee decided to suspend Professor Lant's registration for six months after his counsel, Nicola Davies, QC, submitted what she called a series of "stunning testimonials". Colleagues had described him as an intellectual giant. Ralph Sweeney, Professor Lant's family doctor, said his patient was internationally known for giving addresses on medical topics.

Care home manager 'drugged residents'

By A Staff Reporter

THE manager of an old people's home kept residents quiet by putting drugs into their Horlicks and sherry, a court was told yesterday. Mary Allen, 61, allegedly sedated them with a powerful tranquilliser used to treat schizophrenia.

One of her victims was said to be a noisy resident whose bedroom was above Mrs Allen's sitting room, the court was told. The woman would regularly ring a bell for attention and strike her walking stick on the floor, but fell silent after being given the drug. A woman with cancer was said to have slept for two days after being given the tranquilliser. Mrs Allen also laced the coffee of her employer, Martin Pascal, to quieten him in the afternoons, it was alleged.

Ian Mason, for the prosecution, told Winchester Crown Court: "She used melleril, a tranquilliser drug used for the treatment of schizophrenia, excitement or dangerously impulsive behaviour. It is only available on prescription."

Catherine Mills, a care assistant at the Park Manor Residential Home in Poole, Dorset, alleged that Mrs Allen told staff to put melleril in residents' drinks. "Mrs Allen said she had got permission from their doctors to give it to them and they had got prescriptions for it," she said.

Mrs Mills said that quite often she had seen Mrs Allen crush up melleril tablets and put them into the owner's coffee at lunchtime.

Mrs Allen, of Parkstone, Dorset, denies ten charges of administering a noxious substance with intent to injure and two charges of possessing a class A drug, morphine. The trial continues.



Henmaniacs ready to hold court for their idol in Kiev

Fans of Tim Henman prove their devotion to the number one British tennis player knows no bounds. The "Henmaniacs" yesterday boarded a plane for Kiev to cheer on Henman and Greg Rusedski as they take on the Ukraine today in the Davis Cup tie (Stephen Farrell and Peter Foster write).

Danyelle Elliott-Brown, 15 (holding the flag), from Sheffield, spends every penny she has and most of her waking hours pursuing her Henman obsession. She dresses from head to toe in the clothes of Henman's sponsor, fixes Henman pictures to her keyrings, paints Henman's initials on her face and follows him, asking for his autograph, wherever he goes.

"I fell in love with him at Wimbledon

'95," she says. "It was after he hit that ball-girl and was interviewed on television. When he confessed to his mistake he blushed bright red. I felt so sorry for him."

Among Danyelle's treasured possessions are three of her Henman sketches autographed by the clean-cut young player. Part of the attraction for teenage fans is his dark and sometimes arrogant side. "His attitude is so mysterious,

he sometimes just ignores his fans," she says. "With Greg you'll get a hi, or a hello, but not with Tim. He just walks on by. I think he's just shy."

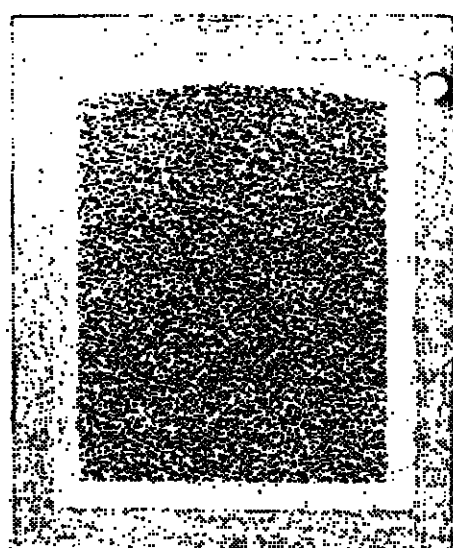
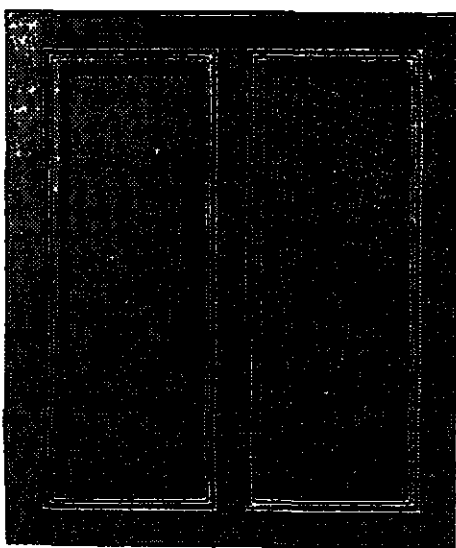
The party was organised by Jean Tyson, 43, co-founder of Topspin, the official Tim Henman fan club. She produces a monthly newsletter documenting every aspect of his career, including updates on his fitness. "We have 240 members aged 8 to 80,

although the majority are girls aged 16 to 25," she said.

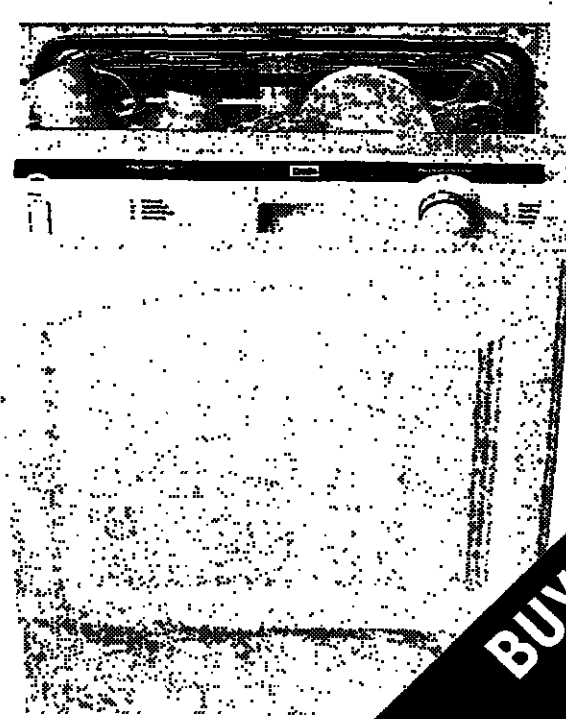
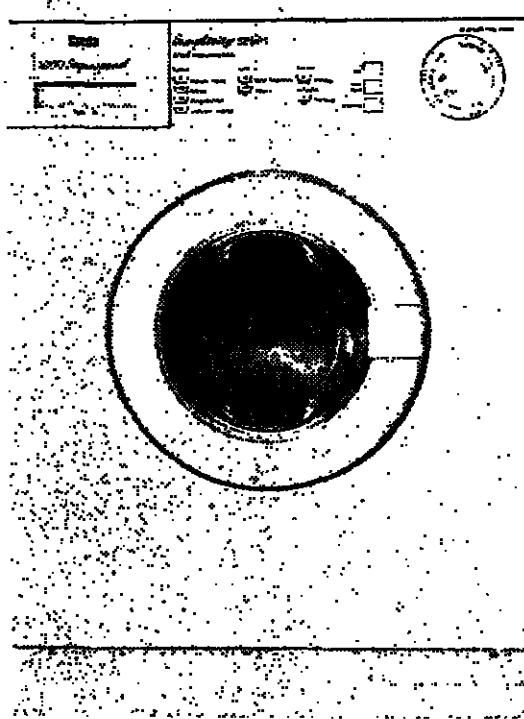
Helen Kempell, 21, from Surrey, and John Thorpe, 36, from North Yorkshire, said they were going to support all the British players. However, Mr Thorpe, sporting a 1995 Davis Cup T-shirt beneath his anorak, admitted Henman was the best British player. "He's got a magnificent cross-court backhand slice and his high backhand volley is unmatched for consistency except by Pete Sampras."

Two older fans in the party, Janet Reed, 66, and Mary Swallow, 57, are still smarting at "People's Sunday". "Everybody said that crowd were true tennis fans, but they're not the people you find at Davis Cup ties. People like us do that," Mrs Swallow said.

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France seals off Channel near nuclear plant

FROM BEN MACINTYRE IN PARIS

HOLIDAYMAKERS, swimmers and fishermen were banned from the waters of the English Channel around La Hague nuclear reprocessing plant in northern France yesterday, while laboratory tests are carried out to determine the level of radioactivity and potential health risks.

The French Government commissioned an independent inquiry into the site near Cherbourg two weeks ago, but yesterday Dominique Voynet, the Environment Minister, ordered an indefinite maritime exclusion zone as a "matter of urgency".

The environmental group Greenpeace described the area on the Normandy coast as a "nuclear dustbin" after an independent German laboratory tested seawater and sediment collected by the nuclear plant.

of La Hague. Children who visited the beach at least once a month had a threefold higher chance of developing the disease, the study claimed.

The results of the government-ordered tests will be known next week. Mme Voynet, a member of the Greens party in France's new Socialist-led Government, said that there would be "full disclosure" of the findings.

The minister said the Government was not prejudging the tests, but emphasised that "if necessary" the plant's licence to dispose of nuclear waste would be re-examined. She did not rule out closing down the industrial-scale plant, which is similar to those at Sellafield and Dounreay, but insisted: "We are not at that stage yet."

The state nuclear company Cogema, which runs the

plant, has claimed that the levels of radioactivity around the site are in strict conformity with legal requirements.

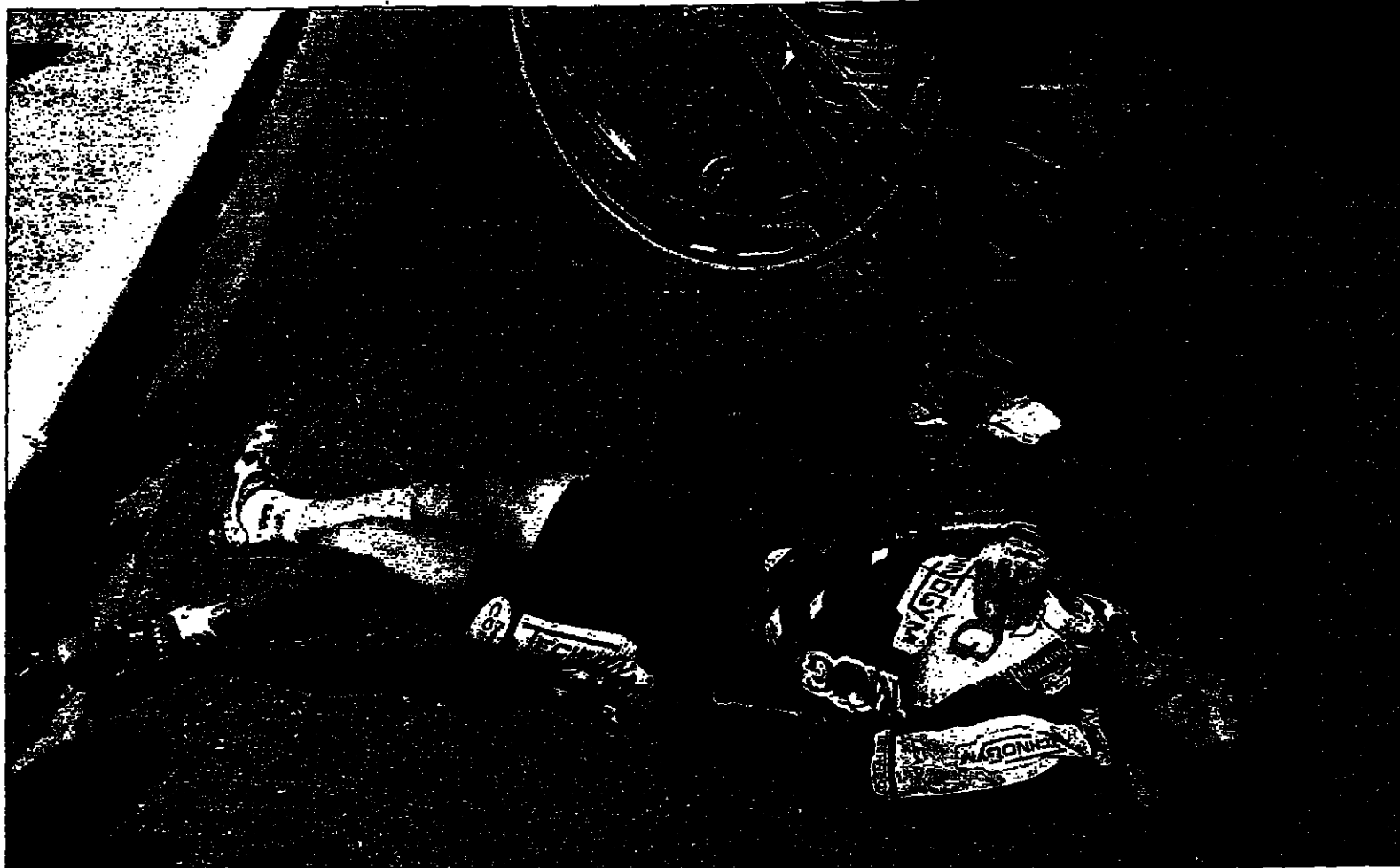
Two weeks ago Greenpeace took samples from the water around the reprocessing plant's discharge pipe, as well as 60 lb of sediment from the Channel bottom near the outlet.

Health service officials in Hamburg said on Wednesday that the samples were "highly radioactive", containing an average of 155 million becquerels of tritium per litre, far above European Union limits.

The sea's natural level of radioactivity is between 10 and 20 becquerels of tritium a litre, but the World Health Organisation has set a safe limit of 7,000 becquerels a litre.

"Appropriate measures will be taken if the results suggested by Greenpeace are confirmed," Mme Voynet said, after a Cabinet meeting with Lionel Jospin, the Socialist Prime Minister. She advised Cogema to "treat this problem with the utmost seriousness".

Cogema, which reprocesses spent nuclear fuel from other countries, including Germany and Japan, last month accused Greenpeace of inflating its figures by extracting samples too close to the end of the pipe.



Fabiano Fontanelli after Wednesday's Tour crash with a spectator in western France. Cyclists say people with videocameras often leap into their path

Injuries speed calls for brake on Tour

BY BEN MACINTYRE

THE future of the Tour de France is being hotly debated after a series of accidents involving injuries to competitors and spectators. Hardly a day has passed in this year's cycling event without a pile-up of some sort. On Wednesday, the day after Switzer-

land's Tony Rominger broke his collarbone in a fall, two more riders were injured in a collision with a woman trying to film the event.

Both cyclists had to drop out of the race and the spectator remained in hospital yesterday after emerging from a coma. Chris Boardman, the British cycling champion

known as "Le TGV Anglais" who was lying fourth overall after yesterday's leg, has so far avoided mishaps, but as the race approaches the Pyrenees, where Pablo Casartelli, the Italian rider, was killed in an accident in 1995, Tour organisers are facing criticism that the race is too commercial and too dangerous.

VSD magazine described the Tour yesterday as a perilous "game of skittles". Philippe Bouvard, a columnist writing in *France-Soir*, said that "the spate of collisions slowing down the Tour de France and interrupting the progress of so many champions" reflected a wider problem on French roads, adding: "This two-wheeled slaughter is a sad indication of the

narrowness of some roads, traffic saturation and the dangers of high speeds." Jean-Marie Le Blanc, director of the Tour de France, said that the many accidents in this year's race were a consequence of the event's increasing popularity and improving cycle technology. "The falls are more numerous than in the past because the speeds are greater. Bicycles are being made more with a view to speed than safety," he said.

Among other innovations, handlebars are wider, increasing the risk of collision. gear ratio has been improved to increase speed and, with the seat placed further forward, riders have less balance. "It is like a car, taking a

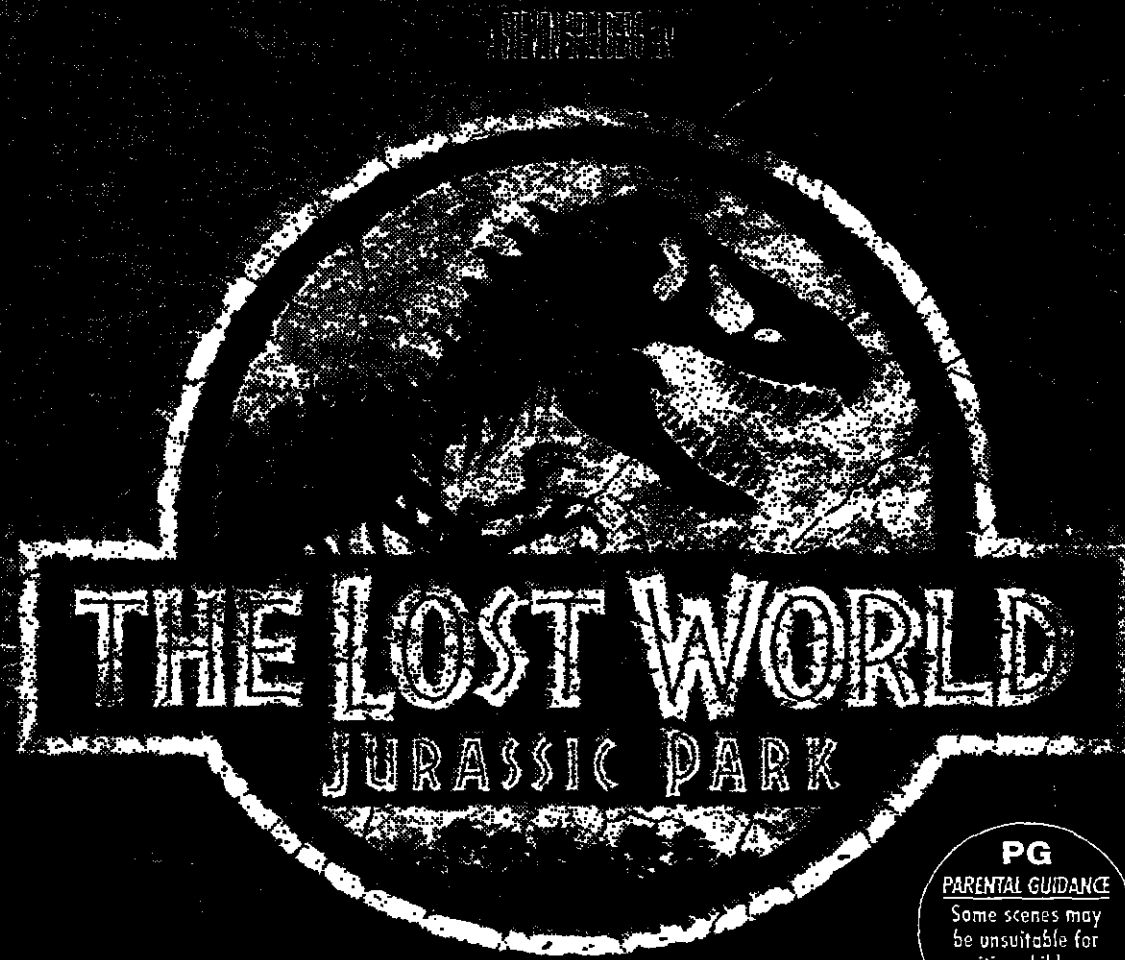
corner in fifth gear instead of third," M Le Blanc said.

The dangers are compounded by the sheer scale of the event, which is cheered by thousands of onlookers lining narrow roads and, all too often, spilling into the path of the cyclists.

Critics say that the route takes insufficient account of the sheer volume of people. The 190 or so riders are accompanied by an entourage of more than 3,000 sponsors, mechanics and officials. Cyclists say the videocamera has made the race more hazardous, with spectators leaping into the path of cyclists to obtain the best, but most dangerous, footage.

Report and placings, page 47

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Clinton challenge on 'mark'

FROM TOM RHODES IN WASHINGTON

BILL CLINTON'S personal lawyer has asked Paula Jones to provide documentary evidence in which she said there were distinguishing marks on the President's private parts after he allegedly propositioned her in an Arkansas hotel.

Ms Jones is seeking \$700,000 (£416,000) damages in a sexual harassment suit against Mr Clinton. She alleges that in 1991, she was escorted by state troopers to a room in the Excelsior Hotel in Little Rock, where the then

Arkansas Governor made his advance.

The Supreme Court ruled last month that the case could proceed while Mr Clinton was in office. Mr Clinton last week formally denied all Mrs Jones's claims.

Mr Bennett also wants to know who is funding the Jones case, and whether she has received any promises of gifts or financial remuneration in the form of book or film contracts.

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£10,000 - £24,999	4.500	3.600
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£100,000 - £249,999	4.500	3.600
£25,000 - £99,999	4.125	3.300
£10,000 - £24,999	3.875	3.100
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BUSINESS EDITOR Patience Wheatcroft

FRIDAY JULY 11 1997

Further rise in rates fails to quell speculation

By ALASDAIR MURRAY
ECONOMICS CORRESPONDENT

THE City yesterday shrugged off the latest quarter-point interest rate rise but the markets face a volatile month as speculation about future rate increases continues.

Economists believe that another quarter-point rise could come as early as next month, with some forecasting that rates will rise as high as 8 per cent by early next year.

The FTSE 100 index recovered from early falls to close

up 5.4 points at 4,767.8 in weak trading. Stocks in major exporters partially recovered from recent losses as traders expressed relief that industry had not been hit by a half-point rise. Shares in retailers also climbed as the market concluded that the increase would not greatly restrict consumer spending.

Gilt closed little changed, but the pound fell more than a penny to close at DM2.9555, while sterling's trade-weighted index dropped 0.3 to 103.8 as profit-taking set in. Dealers

expect sterling's losses are likely to prove short-lived as expectations of further rate rises continue to dominate the market, and that the pound will climb to more than DM3.00 in the near future.

The Bank said the rate rise was necessary to curb inflationary pressures caused by strong consumer spending and economic growth. But it also expressed concern about the pound, claiming that sterling's latest rise had "sharpened" its policy dilemma.

Businesses gave a cool recep-

tion to the rise, renewing criticism of Gordon Brown for failing to hit consumers with tax rises in the Budget.

Alan Armitage, head of economics at the Engineering Employers Federation, said: "The further rise in interest rates will dent some of the incentives for investment announced in the Budget and, if the pound rises further as a consequence, exports will suffer further."

The Federation of Small Businesses forecast the rise would add a further £50

million in annual interest payment costs for the country's three million small companies. Stephen Alambritis, of the FSB, said: "What small businesses are worrying about now is uncertainty, and we hope by Christmas that a line will be drawn under interest rates so they don't rise above 7 per cent."

But economists said the Bank faced little choice but to increase rates after a raft of recent economic data had pointed to accelerating spending growth as consumers cash

in building society windfall payouts.

Richard Jeffrey, UK economist at Charterhouse, expressed disappointment that the Bank had not increased rates more sharply. Mr Jeffrey, who believes rates will rise to 8 per cent next year, said: "This was exactly the moment for a shock rise. The increase will have little impact on consumer psychology and spending will continue to accelerate."

Other economists were less hawkish about the outlook for

rates, arguing that sterling's rise had already resulted in a major policy tightening and the impact of the three consecutive quarter-point rises would need time to show through.

Andrew Cairns, UK economist at UBS, said the Bank would need to make only one more quarter-point rise before the end of the year. He added that if rates are raised more aggressively "the economy will slow down markedly next year and by far more than is necessary to meet the inflation target."

BUSINESS TODAY

STOCK MARKET INDICES		
FTSE 100	4767.8	(+5.4)
Yield	3.42%	
FTSE All Share	2237.18	(+0.54)
Nikkei	19754.78	(+57.61)
New York	7827.95	(-14.48)*
Dow Jones	906.53	(-0.81)*
US RATE		
3-month	5 1/8%	(5 1/8%)
Long Bond	100 1/8%	(100 1/8%)
Yield	6.58%	(6.58%)
LONDON MONEY		
3-month bank	6 1/8%	(6 1/8%)
Libor 3m	11 1/4%	(11 1/4%)
STERLING		
New York	1.5880	(1.5875)
London	1.5877	(1.5855)
DM	2.9555	(2.9555)
FF	9.9904	(10.0270)
Sfr	2.4475	(2.4672)
Yen	113.10	(112.75)
S Index	103.8	(104.1)
DOLLAR		
London	1.7517	(1.7503)
FF	5.9220	(5.9485)
Sfr	1.4495	(1.4587)
Yen	113.10	(112.75)
S Index	102.2	(102.3)
NORTH SEA OIL		
Brent 15-day (Sep)	\$18.05	(\$18.30)
GOLD		
London close	\$318.45	(\$319.15)
* denotes midday trading price		

CWS scandal claims three at Hambros

By JASON NISSE

HAMBROS, the 158-year-old merchant bank, was rocked yesterday by the departures of Nigel Pantling, its head of corporate finance, and two directors of the bank, Peter Large and Andrew Salmon over the Co-operative Wholesale Society scandal.

The three left after an investigation by Norton Rose, the City solicitor, found that Hambros had used confidential CWS documents while working on an aborted £12 billion bid for CWS by Galileo, the vehicle of Andrew Regan. On Monday Nigel Campbell-Smith, the partner at lawyers Travers Smith Braithwaite who advised Galileo, resigned to "reduce the embarrassment" caused by the affair.

The confidential CWS documents had been passed to Mr Regan by Allan Green, retail director of CWS. Mr Green is facing theft charges while Mr Regan and his colleague, David Lyons, are charged with handling stolen goods.

Mr Regan said: "The events of this week make it perfectly clear that the advice Galileo paid so many millions of pounds for, and followed every inch of the way, was inept."

Hambros received nearly £500,000 from Galileo for its work, and was also promised a success fee of £10 million, while Travers Smith Braithwaite was paid £750,000. Both have paid compensation to CWS. The Hambros losses on the CWS affair are estimated to stand at more than £4 million.

The bank is looking for a chief executive to replace Sir Chips Keswick, who takes over as chairman from Lord Hambro later this month. The Hambros management has been under pressure from Regent Pacific, the aggressive Hong Kong fund manager, which bought a 3.15 per cent stake last year.

The Bank of England has prevented the publication of the report because of banking confidentiality. However Hambros said that Norton Rose has found that "those at Hambros

who knew that confidential information from CWS had or might become available without proper authority failed to appreciate that it was not appropriate for them to either receive or use that information."

The report says that both Mr Large and Mr Salmon used the documents while Mr Pantling failed to supervise them fully. All are receiving three months salary — which could be as much as £50,000 for Mr Pantling. The Securities and Futures Authority is studying the report and is expected to use it as the basis for disciplinary action against the three. Its sanctions include banning them from working in the City.

Other Hambros executives have been reprimanded. Norton Rose also recommended the strengthening of the Hambros compliance procedures, which are overseen by Edward Adeane, former private secretary to the Prince of Wales.

Hambros was advised by Allen & Overy, the City solicitor, during the CWS deal as well as working with Travers

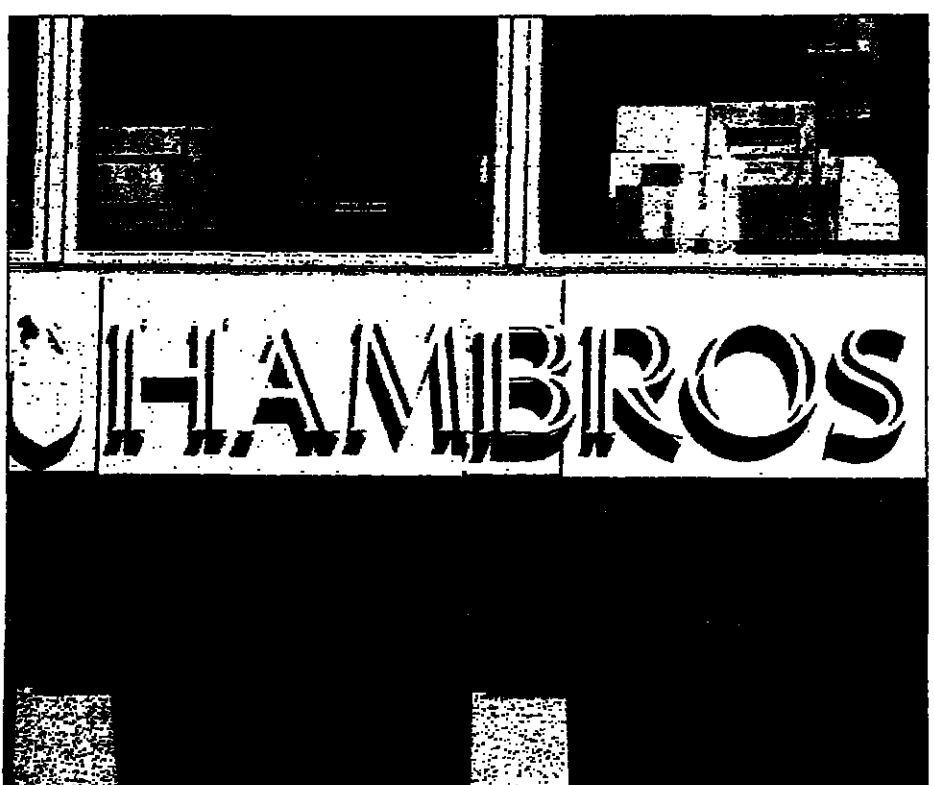
Smith Braithwaite. The Office for the Supervision of Solicitors is considering a formal investigation. Alan Paul, the Allen & Overy partner who advised Hambros, was on holiday yesterday but the firm said: "There was never any suggestion the we gave anything but the best advice to Hambros."

Mr Pantling, 46, only joined Hambros in April 1995. He was recruited from rival merchant bank Schroders to succeed Anthony Beavor, the former head of the Takeover Panel.

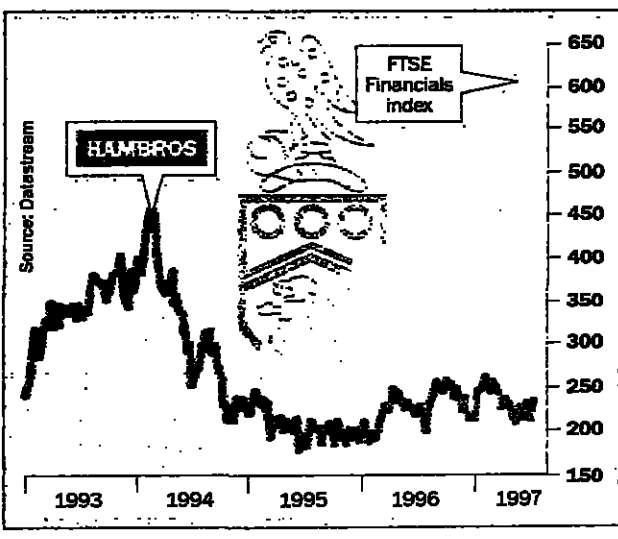
Mr Large, 44, joined soon after Mr Pantling, coming from SBC Warburg, where he had advised Hobson, Mr Regan's previous company. He has been on leave since Hambros formally apologised to CWS for its role in the deal in April.

Mr Salmon, 34, only recently became a director of corporate finance. He was seen as a high-flyer and had been advising Mirror Group on its bid for Midland Independent Newspapers.

Commentary, page 29



The CWS affair has cost Hambros Bank £4 million and untold damage to its reputation



Keswick: under pressure

Woolwich share auctions defended

By GAVIN LUMSDEN

BZW defended its handling of the sale of Woolwich windfall shares yesterday as the stock limped above 300p.

The investment bank has held four auctions of Woolwich shares to institutional investors this week and today reveals the average price obtained. This will determine the price selling members will get.

More than 600,000 former members have watched anxiously as Woolwich's share price has slipped from a flotation high of 368p on Monday to 295p two days later. Yesterday the shares rose 7p to 302p.

Analysts argue that Woolwich is to blame for holding all the auctions after flotation. They claim this caused a severe shortage in the stock on Monday pushing it to an artificially high level.

Only members who opted for share certificates will have been able to sell on Monday but thousands have yet to receive certificates. Lloyds Registrars, which is handling the issue, insists that it posted everything last Friday.

Lesley Johnston, managing director of equity capital markets at BZW, said: "We believed institutions would be encouraged to bid if a benchmark market price was in place. That has been achieved."

Stock market, page 30

Ponsolle tunnels out of trouble

FROM ADAM SAGE IN PARIS

PATRICK PONSOLE, the French co-chairman of Eurotunnel, was jettisoned and heckled as shareholders voted in favour of a £4.4 billion rescue restructuring at the company's meeting in Paris yesterday.

M Ponsolle was confident that the plan would be voted through once he knew Eurotunnel had secured a quorum of 25 per cent of the shares held by its 721,000 shareholders. The turnout was a relief to the group and its 174 bankers that had feared they would have to delay the meeting until the autumn.

Eurotunnel had launched a major publicity campaign in a

bid to persuade its 600,000 small French shareholders to exercise their right to vote and ensure a quorum. After the Bermuda-based fund, Northern Cross, indicated last week that it would approve the deal, analysts said they expected the £8.7 billion debt restructuring to go ahead unless the meeting was postponed.

M Ponsolle said the rescue package — under which the 174 banks who hold the group's debts will acquire 45.5 per cent of its share — was "the only realistic solution which can be envisaged."

There was anger among the 1,748 shareholders present

yesterday. Some shouted "cheat" and "rotten" at the company's board and brandished banners illustrating how far the group's share price has plummeted.

Joseph Gouartion, president of the Association for the Defence of Eurotunnel Shareholders, said M Ponsolle had been "out-played" by the banks during the eight months of negotiations with banks. "Why did you get nothing?" he asked, to loud applause.

Christian Cambier, president of Adacté, another association of French shareholders, said: "It seems

incongruous that the banks should be able to benefit from any profits which are made between 2052 and 2086."

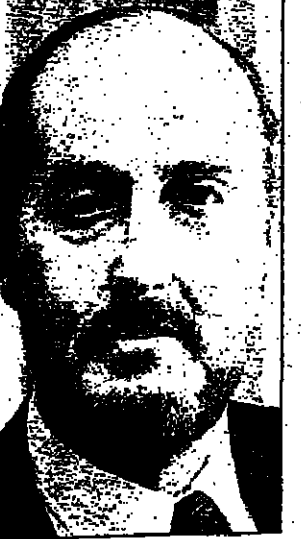
Despite his criticism, he had indicated earlier his association would vote for the deal.

Mr Ponsolle told the meeting: "The plan is robust and flexible. To refuse it would signify our ruin."

He said the "massive reduction" in financial charges under the agreement would help Eurotunnel to halve losses of £685 million last year. Guarantees from the British and French Governments had not been forthcoming, he added.

Judge shocked by Maxwell fees

By FRASER NELSON



Phillips: context plea

A HIGH COURT judge yesterday described as "profoundly shocking" figures showing that all but £60,000 of the £1.68 million personal estate of the late Robert Maxwell will be swallowed up in fees.

If the amounts claimed by Buchler Phillips, an insolvency firm appointed by the High Court to sell the remaining assets left after Mr Maxwell's death in 1991, were paid in full, the receivership would have produced "substantial rewards for the receivers and their lawyers and nothing at all for creditors of the estate," said Mr Justice Ferris.

Buchler Phillips is asking the court for £1.62 million,

from the £1.68 million salvaged from Mr Maxwell's estate.

Lord Justice Ferris said: "Having done my best to set out the figures objectively, I cannot escape saying that I find them profoundly shocking." He told Buchler Phillips that he was taking the unusual step of sending the dispute to a separate panel for scrutiny.

The firm was charging £270 an hour for its senior staff and up to £195 for other accountants, he said, which contrasted with the £49 an hour charged by the High Court's in-house staff.

He also expressed deep reservation over the "considerable" extra cash that the firm

is claiming for answering to the House of Commons Select Committee. He noted that the Committee had little praise for Buchler. The extra time spent answering the Committee's questions "may have been attributable to the receivers defending their conduct from criticism rather than merely providing information."

Peter Phillips, the key player in the insolvency action, was unavailable for comment last night. In a prepared statement describing the Maxwell case as one of the most complex in legal history, he asked that the judgment be put in the context that pensioners have had their full entitlements assured.

Nabarro Nathanson, which acted as Buchler's Phillips lawyers, also came under fire. Its bills would "inevitably raise questions as to the necessity to have used the services of solicitors to such a great extent," the judge said.

A spokesman for the law firm denied it had overcharged Buchler, adding that its fees had been fixed between £60 and £200 an hour throughout the case.

Justice Ferris's central criticism was aimed at the insolvency system. "Remuneration should be fixed so as to reward value, not so as to indemnify against cost," he said.

Commentary, page 29

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TIM 11/7 INH

Financial services travel well

By ALAN MURRAY
ECONOMICS CORRESPONDENT

BRITAIN'S financial services companies enjoyed record overseas earnings last year, providing a huge boost to the country's current account, according to a survey published yesterday.

The British Invisibles City Table for 1996 showed net overseas earnings increased almost 10 per cent to £22.7 billion. Duncan McKenzie, economic adviser to British Invisibles, said the overseas earnings of the financial services sector had been a major contributor to the reduction in the current account deficit to £455 million in 1996. According to Office for National Statistics figures, all invisibles, which include net receipts from services, investment income and transfers rose £4.3 million to £12.2 billion last year.

Mr McKenzie said: "Further growth in its overseas earnings reflects the consolidation and strengthening of London's leading position in many financial markets."

The British Invisibles survey showed income from overseas services rising slightly to £12.8 billion. Investment income increased by £1.8 billion to £9.8 billion and now accounts for 43 per cent of total overseas income.

Banks' overseas earnings bounced back after a disappointing 1995, rising from £5.9 billion to £7.1 billion. British Invisibles said the recovery was a result of lower investment spending abroad, which declined from £2 billion to £1.1 billion.

But insurance sector earnings fell from £6.9 billion in 1995 to £6.1 billion last year. The main cause of the decline was a big drop in the overseas earnings of Lloyd's, which fell from £1.6 billion to £508 million.

Securities dealers also enjoyed a strong performance. Overseas earnings rose £432 million to £2.2 billion.



Andrew Dalton, the managing director, and David Sebire, the chairman, of Robert H. Lowe, the packaging and sportswear manufacturer, raised pre-tax profits by 83 per cent to £1.7 million in the six months to April 30. Sales rose 31 per cent to £17.9 million. The half-year dividend rose from 0.1p to 0.125p out of earnings up 39 per cent from 0.88p to 1.22p. Mr Sebire said that there was "plenty of scope for further organic growth."

Judges favour employer who cut outsourced workers' pay

By MARTIN WALLER

A LANDMARK case on employment law affecting the rights of thousands of workers whose jobs are "outsourced" to contractors was decided in the Court of Appeal yesterday, with victory going to the new employers.

Three judges, Lord Justice Beldam, Lord Justice Waite and Lord Justice Swinton Thomas, overruled the find-

ings of an Employment Appeals Tribunal and found in favour of a local council which cut the pay of staff at a care home that it took over from another authority.

The decision had been keenly awaited by employment lawyers, who have argued that the uncertainty over who took the bills from such a transfer of business was hampering the growing business of outsourcing, or bringing in

specialised contractors to run non-core businesses such as cleaning, computer services and security.

The losers in this case — and a parallel one involving British Fuels — have been given the right to appeal to the House of Lords. The cases may then go to the European Court of Justice in Strasbourg.

Rory Graham, a partner in Bird & Bird, the law firm,

said: "On the face of it, it looks like common sense. But what we need is the final judgment at the highest level, or a decision that they are not going to appeal."

The case was brought by Unison, the local government union, as a test of employment laws. A home providing secure accommodation was transferred from Lancashire County Council to St Helens, which cut the staff from 162 to

72. In some cases loss of allowances resulted in reduction in earnings.

The 72 staff at the home were made redundant by Lancashire County Council and then re-employed by St Helens. A legal battle was begun over whether the transfer was covered by Transfer of Undertakings (Protection of Employment) Regulations and a European directive guaranteeing workers similar terms and conditions when their jobs are taken over by another employer.

In the parallel case, the same judges ruled that British Fuels was wrong to change the contracts of two workers who were transferred from National Fuel Distributors because the reason for the change was the transfer of employment.

However, British Fuels was also granted leave to take the case on appeal to the House of Lords.

National Savings accounts cleared

SIR JOHN BOURN, the head of the National Audit Office, yesterday cleared the 1995 accounts submitted by National Savings, despite continued discrepancies involving tens of millions of pounds (Adam Jones writes).

The Government's savings arm has been overhauling its

accounting systems after "black holes" were discovered in its 1993 and 1994 accounts. At the end of 1994 investors supposedly owed National Savings £37 million, even though they cannot owe money to the agency. The figure was down to £33.7 million in 1995. However, a

£12 million discrepancy in transactions between National Savings and Post Office Counters, a major retailer, had increased from £12 million to £14 million.

Sir John said the discrepancies were "not material in terms of the sums deposited". The two audited products, the

investment and ordinary deposit accounts, had total deposits of £10.7 billion at December 31, 1995.

A National Savings spokeswoman said the 1996 accounts would be the first to reflect the remedial action which continues under Peter Bareaud, chief executive.

New York custodian for Gartmore funds

GARTMORE, the investment house that has assumed control of NatWest's asset management business since it was bought by the bank last year, is to outsource the custody of its combined institutional funds to The Bank of New York.

The deal, which is subject to contract and client approval, will put £25 billion in the hands of The Bank of New York from the start of next year. Around half of this came from NatWest Investment Management and will be switched from Lloyds Bank, its current custodian. Gartmore Money Management is to close and its 25 staff redeployed. Gartmore said the move would allow it to focus on developing the investment management business. The Bank of New York is one of the largest custodians in the world. The bank has responsibility for around \$3 trillion (£1.78 trillion) of assets.

Heiton ahead 25%

THE strengthening economy, which has led to a construction boom in the Republic of Ireland, underpinned a 25 per cent rise in pre-tax profits to £18.6 million (£7.8 million) at Heiton Holdings, the building services company, in the year to April 30. Turnover rose 9.4 per cent to £140 million, giving Heiton a 23 per cent share of the Irish market. Earnings rose more than 25 per cent to £12.3p a share. A final dividend of £1.22p, giving a total dividend of 3.9p, up almost 26 per cent on last year, is due on September 16.

Exceptionals hit Compaq

COMPAQ, the world's largest supplier of personal computers, suffered a 20 per cent fall in second-quarter profits to \$214 million (£127 million) from \$267 million after an exceptional \$208 million charge relating to the acquisition of Microcom, a manufacturer of modems and other remote-access technologies, for \$280 million. Revenues rose to \$5.01 billion from \$4 billion. In the first six months of the year net income advanced 20 per cent to \$601 million from \$501 million. Compaq ended the second quarter with a cash balance of \$5.1 billion.

Three face fraud trial

TWO more men in an alleged \$27 million (£16 million) currency dealing fraud have been committed for trial at Jersey's Royal Court. They are Alfred Williams, 48, a former Touche Ross partner, and Peter Stoneman, 53, a senior manager with Cantrade Private Bank. Robert Young, 43, an independent trader, has already been remanded for trial. Young and Stoneman deny the charges, while Williams has reserved his plea. Cantrade Private Bank faces 33 fraud charges.

Dalgety to shed 109 jobs

THE restructuring of Dalgety's Spillers Petfoods business will mean the closure of the Seacombe factory on Merseyside next year with the loss of 109 jobs. In addition, the company's workforce at Wisbech, Cambridgeshire, will be trimmed from 400 to 250 by the end of the year. On Tuesday, the company lost 15 per cent of its market value after it admitted fourth-quarter trading had been well below expectations. The cost of restructuring the business prompted a £38 million provision.

Inflation up in Ireland

THE Republic of Ireland's consumer price index rose 0.3 per cent in June largely because of higher food prices and mortgage interest costs, the Central Statistics Office said yesterday. Since the CSO has only recently started to compile the country's inflation data on a monthly basis, the long-term rate to June 30 has to be calculated over 13 months from May 1996. That figure, at 1.8 per cent, was broadly in line with expectations and compares to an annual rate to May 1997 of 1.5 per cent.

Lambert walks tall

LAMBERT HOWARTH, the footwear supplier, yesterday announced stronger than expected half-year trading, sending its shares 13 per cent higher to 135p. It expects to show "a very significant increase in profit before tax and exceptional items" in September, when it reports results for the six months to June 30. Most of the improvement came from its Footglove branded comfort shoes. Plans to reduce UK manufacturing capacity will lead to further exceptional charges this year.

FOREIGN RATES

Bank	Bank	Bank	Bank	Bank
Australia \$	2.57	2.50	2.50	0.884
Belgium Fr	21.78	20.10	20.10	3.218
Canada \$	64.12	58.17	58.17	2.43
Cyprus Cyp£	2.46	2.25	2.25	12.02
Denmark Kr	0.914	0.843	0.843	298.00
Finland Mk	11.83	10.84	10.84	7.44
France Fr	8.55	8.58	8.58	245.00
Germany DM	10.44	9.98	9.98	15.89
Greece Dr	3.11	2.87	2.87	2.28
Hong Kong \$	4.82	4.52	4.52	245.00
Ireland Ir£	13.85	12.65	12.65	1.950
Israel Sh	1.07	1.07	1.07	
Italy Lit	1.15	1.07	1.07	
Japan Yen	8.29	5.84	5.84	
	2821	186.40	186.40	

Notes: For small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

Coutts & Co Base Rate.

With effect from Thursday 10th July 1997 Coutts & Co has increased its Base Rate from

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its Base Rate has increased from 6.50% to 6.75%



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Skillsgroup warning over growth

Skillsgroup, the computer group, yesterday gave warning that the harsh market conditions in continental Europe were likely to wipe out any growth in its full-year profits.

The shares plunged 68p to a two-year low of 126p. In the six months to May 31, pre-tax profits were flat at £6.5 million, with earnings unchanged at 5.8p a share. The 1.3p interim dividend (1.25p) is payable on October 6.

Kelvin bonus

Ray Kelvin, founding chief executive of Ted Baker, the fashion shirt company, is to receive a one-off payment of £3 million in the run-up to its flotation later this month. Mr Kelvin is set to make up to a further £12 million from the estimated £20 million placing. The company said Mr Kelvin had not taken any money out of the company while it was growing.

First auction

THE year's first auction of Lloyd's of London underwriting capacity raised a total of £24 million for sellers. The total is double the amount raised in the first auction last year. In two days, £46.8 million of capacity was sold.

Review by Britannic hits shares

By GAVIN LAMSDEN

BRITANNIC ASSURANCE shares fell 18p to 816p after the insurer revealed it had suspended its sales force for a week and is investigating training and competence levels within the company.

Brian Shaw, managing director, said the firm had halted sales while it rechecked how many of its 1,850 financial representatives had passed industry examinations and internal performance targets.

Mr Shaw said: "We are taking precautions to ensure no customers are advised by people who have not met all the required standards."

He denied the company was in breach of rules laid down by the Personal Investment Authority that required financial advisers to have passed Financial Planning Certificates 1, 2 and 3 by the start of this month. Less than 80 per cent of Britannic representatives have done this, one of the lowest records in the industry. Britannic was one of 24 pension providers castigated this week by Helen Liddell, Economic Secretary, for delays in compensating victims of personal pension mis-selling, having completed just 4 per cent of its caseload.



Base Rate

Australia and New Zealand Banking Group Limited announces that its base rate has changed from 6.5% to 6.75% p.a. with effect from close of business on 10th July, 1997.



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سكوت في المثل

Chips are down for Hambro



COMMENTARY
by our City Editor

In less than a fortnight's time there will be another high level departure from Hambros. Lord Hambro, the former chief fund raiser for the Conservative Party, will be leaving the chairman's office at the family banking business. His retirement party is likely to be a muted affair, although he has had rather more time to plan it than had the trio of corporate finance executives who exited Hambro headquarters yesterday.

They were the men who knew, or should have known, the provenance of certain documents used in Andrew Regan's abortive bid for the Coop. Hambro is right to say farewell to them and send them away without the sort of pay-off which often makes such events more comfortable for both sides. But it will take more than this to restore Hambro's damaged reputation. Andrew Regan joyfully did his best to tarnish that still further last night. It is a bit rich for the ambitious Mr Regan to try to blame his current predicament on the advice that he received from his merchant bankers, Lord Hambro, and the unpublished Norton Rose report, have provided him with enough ammunition to encourage him to do just that.

The man who must now lead the bank's fight back is Sir Chips Keswick, who takes over the chairmanship from Lord Hambro. But, while wonderfully well connected, Sir Chips has the disadvantage of having been

chairman of Hambros Bank during its slide from grace.

As Lord Hambro confessed in his last address to shareholders: "While we had hoped that the profitability of the banking group would be restored more quickly, we remain convinced of the prospects and opportunities for a medium-sized merchant bank providing advice and service to its clients."

Well, that depends. The Regan affair will have done nothing to win the bank new business, although there are loyal corporate customers, several of whom submit that Michael Sorkin is one of the most talented corporate financiers in the business. Mr Sorkin, however, prefers cooking up deals with clients such as Elliott Bernard to presiding over whole corporate finance departments, and, having seen Nigel Pantling helping to carry the can for the Coop affair, his stance on this seems fully justified.

But Sir Chips may need more support if he is not to preside over a further weakening of the group. Hambros profits have barely budged over the last decade, while those of other finance houses, most notably Schroders, have multiplied. Had it not been for its involvement in

estate agency, the figures would have halved.

Once the property cycle turns the deficiencies in the bank will be cruelly exposed. If Hambros has not found a clearer strategy for competing in the banking world by then, it will look extremely vulnerable to a predator. In the ultimate indignity, someone might spot the opportunity to pick up a reasonable estate agency with a bit of a bank thrown in.

Time is running out for big spenders

We must wait until the middle of August to learn whether the Bank of England's monetary policy committee was unanimous in its view that interest rates had to rise by another half point yesterday.

It is to be hoped that there were at least some voices raised against

the increase and in favour of waiting to see the effect of the previous two hikes before rushing to use their so recently acquired power. The minutes of their deliberations will provide a fascinating insight into this new arm of the Bank of England and indicate the depth of discussion and debate which now has such a crucial role in the economy.

It may be the Chancellor's avowed wish to put a stop to the consumer boom, but human psychology would indicate that yesterday's interest rate rise will not have that effect. As the electrical stores group Dixons made clear on Wednesday, what is currently fuelling spending is the flurry of windfalls which have put extra cash into up to 15 million consumers' pockets.

For those who opt to take cash instead of shares, the fall out from demutualisation is the equivalent of a Christmas cheque, or birthday money. It is destined to be spent on some-

thing special, not to be squandered in the generality of day to day expenditure nor to be carefully put away in a savings account. Hence Dixons' chief executive, John Clare's delight at the rocking sales of televisions and computers. These are luxuries that would not have been bought had it not been for the generosity of the Halifax, the Woolwich and the rest.

Putting up the cost of borrowing will not stop people enjoying a spurge with these unearned bonuses. Although those organisations which have bestowed windfalls on their customers are now racing to increase their rates they charge them on their mortgages, Mr Brown will be disappointed if he thinks that the two will be linked in the minds of the Great British consumer.

But the wave of windfalls appears to be slowing down. The sales boom Mr Clare is enjoying could prove relatively short lived, even without the efforts of the

monetary policy committee. Wisdom would suggest that the committee should allow time for consumers to get over the excitement of their unbudgeted spending power and settle down to life with interest rates which have now had three rises in a matter of weeks. Perhaps August should be the month when the MPC takes its hold.

Receivers in need of a watchdog

Back in March 1994, Frank Field, as chairman of the Commons Social Security Select Committee, issued biting criticisms of most receivers dismembering the Maxwell empire. But a special report singled out Peter Phillips of Buchler Phillips, a smaller specialist insolvency firm with the peripheral task of realising assets from Robert Maxwell's private state. It contrasted the firm's fees, then £1.1 million with the meter still running, and the amount indisputably raised for creditors, then slightly ahead at £1.2 million.

Little seems to have changed. As the High Court discovered yesterday, final fees claimed were £1.63 million (nearly half

due to solicitors Nabarro Nathanson) against assets recovered of £1.67 million. Mr Justice Ferris was duly appalled and sent the bills to court officials to vet and decide how much is justified.

This relatively small case only came to notice because of the Maxwell name. To unravel the whole group three other much bigger operations are likely to end up charging the best part of £100 million. But Price Waterhouse, handling the hugely complex mid-Atlantic insolvency of Maxwell Communications Corporation, has already raised \$2 billion, has paid creditors' 42p in the pound and should top 50p after lawsuits.

The courts need to show clearly, consistently and loudly that they will spot excess and weed it out. Otherwise, the law must make receivers more accountable on costs in good time for the next recession — soon, that is.

Eyre raising

RICHARD Eyre is a brave man. In his new role at ITV he will have to stand between the creative programme people and a trio of ultimate bosses: Lord Hollick, Gerry Robinson and Michael Green. If that looked an attractive proposition, one can only suspect that Henry Beans Restaurants may have lost some of the appeal which persuaded him that his former company, Capital, should pay so highly for them.

GEC joins forces with Italian market leader

BY OLIVER AUGUST

GEC and Finmeccanica, owner of Alenia, Italy's main defence manufacturer, will set up a 50/50 joint venture in radar and defence systems and take equity stakes in some of their respective businesses, it was confirmed yesterday.

Alan Kemp, GEC Marconi director of corporate strategy, said: "This is the single biggest step towards European defence consolidation so far. We fit very well together with the Italians."

The Italian state controlled company said: "Finmeccanica and GEC have reached a preliminary deal for broad strategic cooperation in the defence sector."

The joint venture activities will have a combined turnover of more than £2 billion. The

deal will create the leading European avionics business.

The plans for the joint venture were revealed in *The Times* on Monday. Analysts said that a merger of the two groups is a strong possibility. They point to Marconi Alenia Communication, the military communications company that started off as a joint venture but is currently 98 per cent owned by GEC.

Alenia and Marconi will now jointly work on missile systems, naval systems, ground-based radar, command and control systems and air traffic control systems. This represents a major part of GEC's defence interests.

Finmeccanica said: "As of now we have agreed the construction of an equally

owned joint venture for research, planning, production and marketing of the majority of the groups' present output."

GEC will also take a minority stake in Alenia's avionics business, a Finmeccanica unit, while Alenia will take a minority stake in GEC Marconi's armament and armoured car operations. The deal is expected to be completed by December and is subject to regulatory approval, the groups said.

Charles Armitage, analyst at Lehman Brothers, said: "This is undoubtedly good news for GEC shareholders. GEC has increased its access to markets and its access to capital." He said Marconi did well to increase its product profile: "In armoured vehicles,

the GEC business is simply too small. Together they have critical mass. The missiles deal will also increase the product range."

Keith Hayward, of the Society of British Aerospace Companies, said: "The joint venture is a step towards European defence industry consolidation. It will strengthen GEC's position in the world market place. The deal is a good fit."

This week, George Simpson, GEC managing director, announced the outcome of a strategic review. He offered a possible flotation of the GEC Alsthon rail and power joint venture and raised hopes of a distribution to shareholders of at least some of GEC's £1 billion cash mountain.

LVMH ready to submit proposals

LVMH, the French luxury goods group, will next week submit formal proposals for a merger of its Moët Hennessy drinks division with those of Grand Metropolitan and Guinness.

The UK drinks companies planning a £23 billion union (Dominic Walsh writes). There were suggestions yesterday that the two UK companies had softened their opposition towards a three-way tie-up. However, a spokesman for Guinness was adamant that nothing had changed since Tony Greener, of Guinness, and George Bull, of GrandMet, flew to Paris on July 2 to meet Bernard Arnault, LVMH chairman.

He said: "Bernard Arnault has agreed to put his proposals in writing so we can evaluate them. We are still awaiting those proposals."

Hyder to pay tax without cutbacks

BY CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

HYDER, the Welsh utility company, ended speculation over its ability to meet its windfall tax bill by pledging to pay the £282 million bill without cutting voluntary spending on customer rebates and environmental work. It also promised dividend growth.

Hyder — formed when Welsh Water bought Swale, the electricity company — has been at the centre of investor concern since the announcement of the windfall tax because of the unexpectedly large hit it took and because of the company's gearing.

Hyder's bill is high because its two companies performed well in the four years after privatisation. That period formed part of the Treasury's formula for calculating the tax. After paying the tax Hyder will be 200 per cent geared.

Graham Hawker, chief executive, said the company had not seriously considered a legal challenge to the tax. He said: "We are paying disproportionately more, but we have to now show that we can cope with it and produce dividend growth."

Hyder will borrow the cash to fund the two payments of its bill, but later it may look at longer-term borrowing such as a corporate bond.

Mr Hawker said the company had opted to continue extra spending on customer rebates and environmental work worth £35 million a year even though that cash would cover the interest payments it will have to meet on loans to pay the windfall tax.

Hyder's assurances over dividend growth helped to buoy the shares, which have fallen since the Budget. The shares rose 21½p to 827½p.

SIG £26m share offer for Roskel

SIG, the insulation products company, has made a recommended £26 million offer for Roskel, the building company (Oliver August writes).

The acquisition would enhance earnings in the first year, SIG said, and strengthen its position as a distributor of ceilings and partitioning systems.

SIG is offering four of its own shares for every nine Roskel shares, which values the shares at 145p, or a cash alternative of 135p per share. Roskel shares shot up 63½p to 134½p, while SIG shares fell 16p to 310p. SIG said it has received irrevocable commitments from shareholders to accept the offer in respect of 52.3 per cent of Roskel shares. It also said that the strong pound was affecting its profits.

Stoves to revamp its corporate structure

BY SARAH CUNNINGHAM

STOVES, the cooker company, announced a corporate restructuring yesterday and said trade had picked up after a difficult final quarter of last year.

The company said that consumer confidence and high street sales were disrupted in the period leading up to the general election. The market for cookers in the three months to May was 10 per cent below expectations. But for the year as a whole, sales were 27 per cent ahead at £80 million, and pre-tax profit was up about 20 per cent to more than £5 million. Full results will be reported on August 19.

Stoves plans to create a holding company, and will ask shareholders' approval at the annual meeting in October to rename the listed company The Stoves Group. The new structure would allow for existing and intended foreign subsidiaries, together with future acquisitions, to report as subsidiaries of the group.

John Crathorne, chief executive, will become chairman of the UK subsidiary. Jim Barnes, finance director and deputy managing director, will become managing director of the UK operations. The shares fell 7½p to 270p. In February they traded at 330p.

Improved sales restore confidence in Storehouse

BY SARAH CUNNINGHAM



Keith Edelman's pay package came under attack

SHARES in Storehouse, the Mothercare and Bhs retail group, recovered some of the ground lost since February by bouncing 17p to 205p after the company unveiled better than expected sales in the first quarter of this year.

Total sales rose 14.5 per cent. Analysts estimated that like-for-like sales were 2.5 per cent ahead at Bhs and 3 per cent ahead at Mothercare.

Alan Smith, chairman, told the annual meeting: "We are extremely disappointed by what we believe to be an undervaluation of the company... We do not believe that the market has yet given the appropriate valuation to what is a successful track record."

Mr Smith was forced to defend Keith Edelman, the chief executive, after a shareholder criticised his remuneration package for last year.

Although Mr Edelman's total pay was down from £910,000 to £728,000, the criteria for his performance-related package was questioned. Mr Smith said the company would in future consider basing its long-term incentive plan on total shareholder return, rather than earnings and share price. He said Mr Edelman "deserves congratulations for the work he has done".

Tempus, page 30

Shopping mall valued at £267m even before completion

Trafford Centre lifts Peel by £97m

BY CARL MORTISHER

PEEL HOLDINGS, the property developer based in Manchester, has received nearly a £100 million boost from the Trafford Centre, the 1.4 million sq ft mall under construction at Didsbury, west of Manchester.

Shares in Peel increased by 3 per cent to 558p after the company revealed that net asset value per share had soared from 420p to 555p. A revaluation of the portfolio produced a surplus of £125 million, with the best of the growth in Peel's retail warehouses which scored a 20 per cent gain. However, the bulk of the increase

came from a £97 million valuation surplus on the Trafford Centre. The scheme will not be completed until the end of next year, but the company has included an interim directors' valuation to take into account the gain from pre-letting 65 per cent of the space.

Peter Scott, managing director of Peel admitted that it was unusual to include a valuation surplus before completion, but indicated that the gain contained no element of development profit. The Trafford Centre is now in the books at £267 million, including some £60 million in building costs.

Mr Scott admitted that the Trafford Centre would account for a large propor-

tion of Peel's assets but said: "We intend to hold it for the long term. Planning permission for out of town centres is now almost impossible."

Peel's pre-tax profit rose from £12.6 million to £13.7 million in the year to March which included a write-off of £9 million relating to the winding up of the Manchester Ship Canal pension scheme and a surplus of £8 million from the sale of the Altrincham retail park.

Earnings per share fell from 8.45p to 8.16p and the dividend is increased to 8p, a rise of 1.5p from the previous year, with a final 5.5p.

Tempus, page 30

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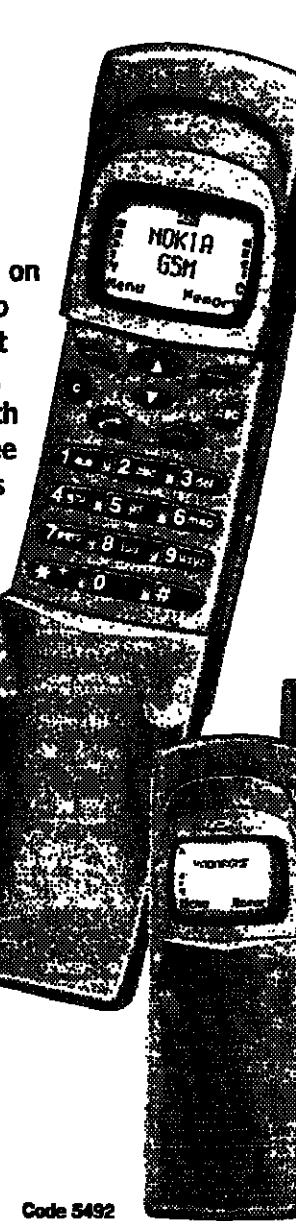
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STOCK MARKET

MICHAEL CLARK

Woolwich share revival forecast as auctions end

STAND BY for a rally in shares of the Woolwich. Traders said last night that the price could open at around the 330p level this morning, once the outcome of the final auction is known.

The shares began edging better last night to close 9p clearer at 304p, after briefly touching 291p as almost 13 million changed hands. The third of the four auctions for City fund managers established an average bid price of 285.5p. That compares with the two previous auctions, which struck prices of 202.3p and 315.3p earlier this week. The auctions followed the decision of 23 per cent of the Woolwich's 2.5 million members to sell their shares. The final price for those that sold will be announced today.

When shares in the Woolwich started trading on Monday, the price opened at 307p, producing a windfall on the minimum 450,000 shares of £1,553.75. After Wednesday's auction that figure had fallen to £1,280.10. Last night traders were claiming that the shares had been oversold.

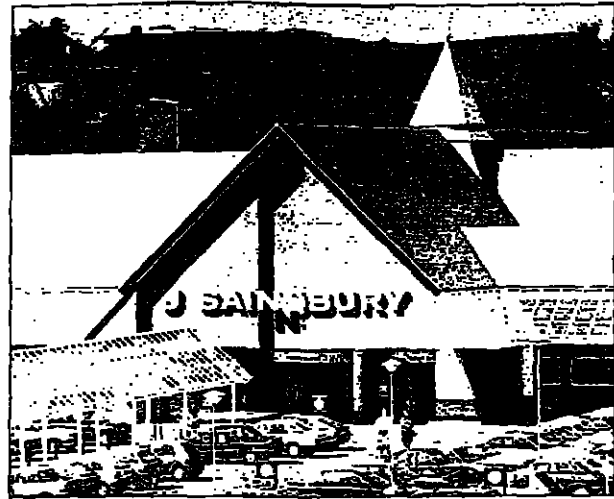
The rest of the equity market took the latest quarter-point rise in base rates in its stride. Having opened lower on the back of the 100 point-plus fall overnight on Wall Street, share prices in London drifted throughout the morning. But once the Bank of England had made known its decision, the equity market rallied to close with small gains on the day. The FTSE 100 index, down almost 30 points at one stage, closed 5.4 up at 4,767.8 in thin turnover of 851 million shares.

Tate & Lyle came within a whisker of its low for the year after suffering a "double whammy". Two brokers have slashed their profit forecasts, for different reasons. The shares closed 18p lower at 438p, after briefly touching 433p.

A rise of 8.3 per cent in passenger traffic during June lifted BAA Group 12p to 578p.

The food retailers were again racing away. J Sainsbury leading with a jump of 21p to 421p — its high for the year — as Dresdner Kleinwort Benson and BZW both raised their recommendations for the shares from "sell" to "hold".

Signs of increased food price inflation and a 4.3 per cent increase in like-for-like sales at



Sainsbury led the food retailers higher with a jump of 21p

Sainsbury during the first 16 weeks of the current year has rekindled institutional support in a market short of stock.

Lawrence Sugarman at Kleinwort says of Sainsbury: "It has proved to be a better performance with a negative impact on margins. Sainsbury is not cheap, but its defensive value will support the price".

There were also gains for Safeway, 12p to 390p,

Asda, 2p to 142p, M&W, 7p to 153p, Wm Morrison Supermarkets, 3p to 171p, and Tesco, 11p to 431p.

Elsewhere the high street stores continued to make headway on the back of this week's news that building society windfalls had begun boosting sales. Dixons, up 7p to 553p, set the ball rolling with UBS, the broker, rating the shares a "buy". Argos also

jumped 28p to 593p. House of Fraser, 5p to 164p, Kingfisher, 12p to 765p, Marks & Spencer, 21p to 555p, Boots, 9p to 791p, and Oasis Stores, 9p to 218p. Storehouse also put on 17p at 205p after getting the go-ahead to buy back 10 per cent of its shares.

Burmab Castrol ended the session 28p higher at 995p. Hyder's decision to fund its £282 million windfall levy out of borrowings instead of launching a rights issue pleased the market and the shares responded with a rise of 21p to 827p. Credit Lyonnais Laing, the broker, is said to have set a target price of 960p. Elsewhere among the water utilities, Thames put on 21p at 749p, Severn Trent 10p at 859p, and Yorkshire Water 6p at 430p.

Roskel celebrated the generous bid terms from SIG Group with a leap of 63p to 134p. The agreed offer from SIG of 145p a share values the suspended ceilings specialist at almost £26 million. SIG finished 16p lower at 310p.

First-time dealings in Galen Holdings got off to a flying start after a placing by ABN Amro Hoare Govett, the broker, at 150p. The shares started life at 162p and climbed steadily to touch 184p before closing at 182p, a premium of 32p.

TI Group rose 10p to 482p as Morgan Stanley, the US securities house, raised its stance on the shares to "outperform" from "neutral" and set a 510p target price.

CLT-EDGED: Longer dated issues took a pasting during a volatile performance in the wake of the latest quarter-point rise in bank base rates.

Shorter dated issues showed their relief at the decision to restrict the rise to just a quarter point instead of the half point suggested in some parts of the City.

In the futures pit, the September series of the long gilt shed 1/16 to close at £114.32 as the total number of contracts recorded reached 77,000.

In longs, Treasury 8 per cent 2015 shed 1/16 to £109.74, while at the short end Treasury 8 per cent 2000 was three ticks firmer at £102.13.

NEW YORK: Early gains fell to profit-taking and technology stocks extended their losses. By midday the Dow Jones industrial average was 14.48 lower at 7,827.95.

But Jenny Colley at BZW disagrees: "It's all about market sentiment with British Biotech. There has been big turnover in the senior management and there has been too much factoring-in of hope and enthusiasm".

BZW says that the fair value is nearer 125p, which means the shares have further to fall. "There has been no fresh news and the management problems has culminated in uncertainty", it says. "The market is running scared".

Colley also points out competition is intensifying.

BRITISH BIOTECH continued to reel from Wednesday's news that the outcome of phase 3 trials of Marinastat, its cancer management, will not be made known until 1999.

This was not what the market wanted to hear. The delay is not its fault. Clinical trials do not always run according to the timetable.

Its shares shed 33p lower at 152p and dragged others with it. Chiroscience fell 7p to 239p, Celtech 2p to 261p, Proteus 1p to 45p and Cambridge Antibody 2p to 321p.

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MAJOR INDICES

New York (midday):

Dow Jones 7827.95 (-14.48)

S&P Composite 906.93 (-0.61)

Tokyo:

Nikkei Average 19754.76 (-57.81)

Hong Kong:

Hang Seng 14839.23 (+135.50)

Amsterdam:

EEX Index 924.71 (-10.86)

AD 2094.40 (-1.70)

Frankfurt:

DAX 3992.38 (-63.48)

Singapore:

Straits 1968.34 (-14.68)

Brussels:

General 14032.40 (-56.28)

Paris:

CAC 40 2629.09 (-21.47)

Zurich:

SIX Gen 1199.40 (-15.86)

London:

FT 30 3077.3 (+7.2)

FTSE 100 4767.8 (+5.4)

FTSE 250 4386.2 (+4.3)

FTSE 350 2207.2 (+1.2)

FTSE Eurotrack 100 2648.2 (+32.29)

FTSE All-Share 2237.18 (+0.54)

FTSE Non-Financials 2254.32 (+0.50)

FTSE Fixed Interest 128.17 (-0.13)

FTSE Govt Secs 96.77 (-0.41)

Barrings:

S&P 500 930.29

German Mark 1.6875 (-0.0022)

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TEMPUS

A market in blood sports

TORMENTING the bears and frightening stags continue to be the stock market's favourite games. Those funds that have been increasing their cash balances will have been furious yesterday when the FTSE index from its dizzy pinnacle. Yet, this is a game that has been continuing for some time and the irritable bears continued to be goaded after the latest Labour Budget, which failed to produce any policies likely to shake the FTSE bulls. Instead, investors got a Budget that was consumer-friendly but a curse to manufacturers. Fund managers worried about a loss of dividend income are now chasing real estate for good yields.

Only two months into a Labour Government and class war has broken out in the City. Companies that make things and try to sell

them to foreigners had hoped for help from a new batch of politicians. There was talk of industry, investment and long-termism. Instead, the landed gentry are on the march, not just in Hyde Park but on the equity lists. Property stocks gained yesterday, flying in the face of an interest rate increase and a weak gilt market. Why bother with manufacturing when you can reap the soaring capital gain from an edge-of-town shopping mall?

It was perhaps foolish to expect Labour's first Budget to reverse decades of indifference to industry but it is curious to see the landlords and financiers increase their sway over the market. Spurned by investors who want growth, engineers will be worse off as the pound anticipates even higher rates of interest. But where is the underlying growth in a clearing bank?

Storehouse

RETAILERS are having their revenge against a sceptical stock market — Dixons, Boots and Marks & Spencer all surged ahead. Enthusiasm for the leaders is dragging with them weaker stocks, including Storehouse, a genuinely undervalued share.

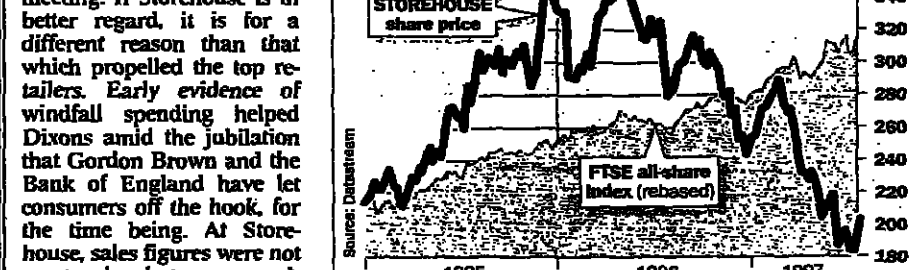
Most undervalued of retailers, a share price gain at Storehouse was enough to raise a thin cheer at the annual meeting. If Storehouse is in better regard, it is for a different reason than that which propelled the top retailers. Early evidence of windfall spending helped Dixons amid the jubilation that Gordon Brown and the Bank of England have let consumers off the hook, for the time being. At Storehouse, sales figures were not spectacular but very much

better than expected. Storehouse is too shy to reveal like-for-like figures, probably because the underlying growth is nothing like the 14.5 per cent total rise.

Organic growth at BHS is probably less than inflation at 2.5 per cent. Mothercare has seen an improvement, with growth of around 3 per cent, but the company still

shows little sign of improving its dull product range. Storehouse has a lot to prove, but even after yesterday's bounce, a multiple of nine times earnings is too low. It deserves a discount to its more imaginative peers, but evidence of improved trading and a buoyant market should keep the shares on an upward trend.

HELPED BY A FOLLOWING WIND



Apple

THIS may be the end of Apple Computer. The Macintosh maker has lost three chief executives in four years: none of them could reverse, let alone halt, the loss of market share. Apple, once the hottest name in the business, is now a minnow in an industry dominated by Microsoft and Intel. Its share of the global personal computer market is estimated to be just 5 per cent.

The company now has two choices — it can scale back its ambitions and costs and become a niche player, or put itself up for sale. The former strategy is helped by Apple's loyal following, especially among creative professionals. Working against it is Apple's financial condition, which is sending talented programmers to look for jobs elsewhere. A small, independent operator, might lack the global marketing power to compete with industry leaders.

Selling the company to a

bigger rival — IBM, Oracle and Sun Microsystems have all been tempted — seems the better option. Apple could ride on the back of its parent's strong marketing and distribution. The security of being part of a larger group would restore confidence and attract talent. But even the most powerful players may not have the wherewithal to eliminate the rot. Meanwhile, Intel and Microsoft go from strength to strength, reinforcing their claim to the industry standard. Unless its strong brand name can attract a rescuer, Apple could be doomed.

Peel Holdings

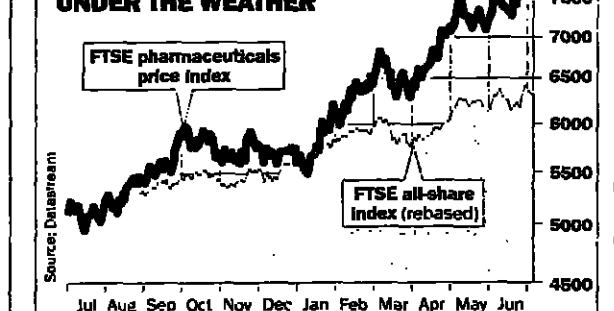
PEEL is creating a monster out at Dumplington that could soon dwarf the rest of its property portfolio but shareholders will be delighted. Worried that the valuation gain on completion of the centre next year would look embarrassingly large, the company has slotted £97 mil-

lion of the expected surplus into the balance sheet in advance. This should be no cause for alarm. The land was purchased for next to nothing and Peel has let more than half of the center. Assuming that rents are about £25 per sq ft and applying a 6.25 per cent yield, the 1.37 million sq ft mall is worth £550 million.

For that, and the 20 per cent surge in value of Peel's other out-of-town retail holdings, investors should thank this and a preceding government, which virtually banned greenfield retail development. Any veteran of this industry will tell you that bans attract investment. Nothing excites a property investor like a shortage, and out-of-town malls are in short supply to retailers and investors alike. By next March, Peel's net worth should be more than £6 per share, leaving a share price discount that will quickly disappear.

EDITED BY CARL MORTSHED

BIOTECH COMPANIES FEELING UNDER THE WEATHER



BRITISH BIOTECH continued to reel from Wednesday's news that the outcome of phase 3 trials of Marinastat, its cancer management, will not be made known until 1999.

This was not what the market wanted to hear. The delay is not its fault. Clinical trials do not always run according to the timetable.

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TEMPUS
rket in blood sport

Brown labours at birth of Thatcher's dream

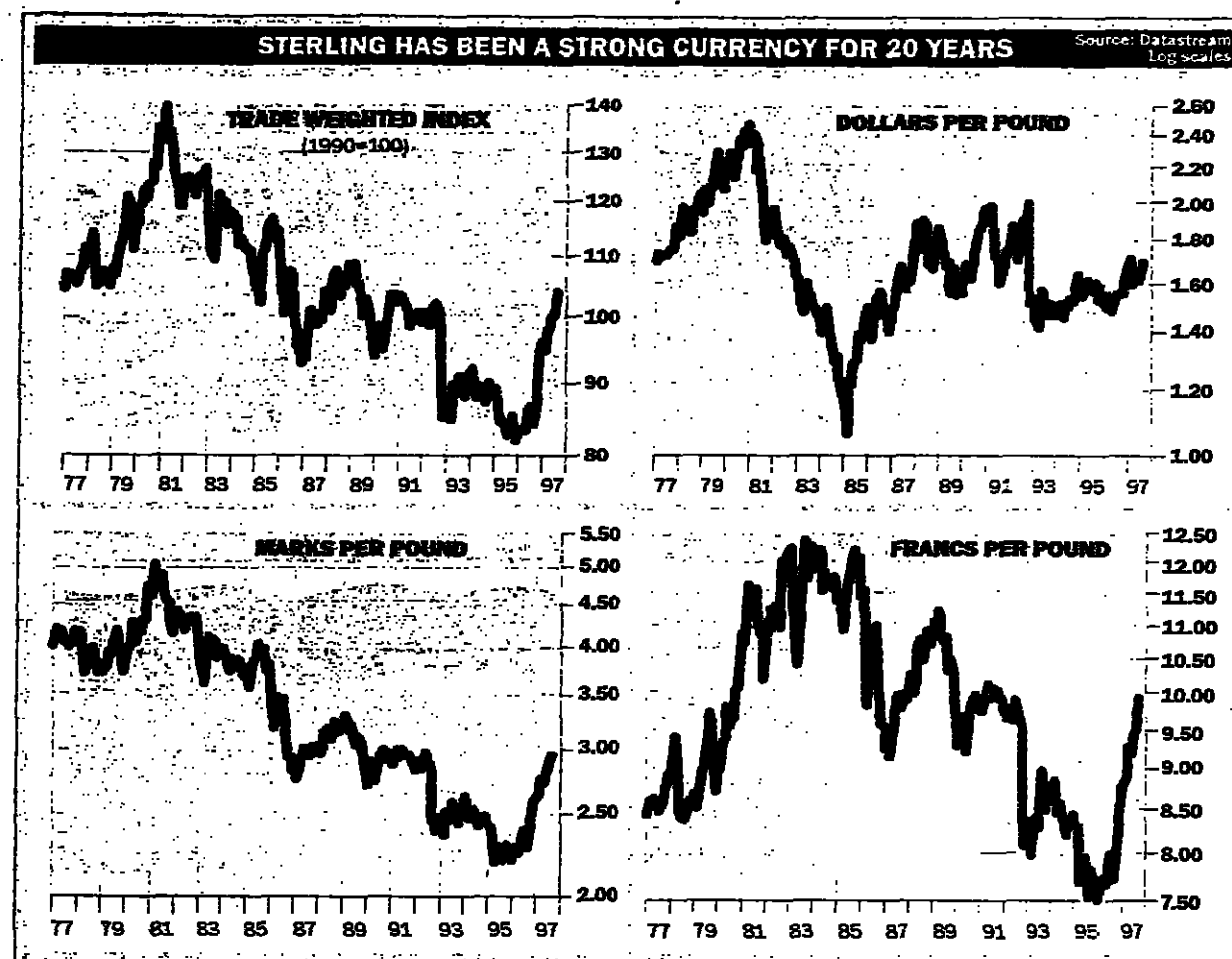
Higher rates
and a strong
pound will
lose jobs
and hurt
investment

WELCOME to post-industrial Britain. The great work begun by Margaret Thatcher will be completed by Tony Blair, Gordon Brown and Eddie George. The dark satanic mills that blighted the countryside will be closed down, the industrial proletariat will be decimated for the second time in a generation and Britain will become the purely middle-class nation of shopkeepers of which Lady Thatcher had always dreamt.

Let me begin by quoting the Bank statement that sent this clear message, albeit in code: "The combination of rapid expansion of domestic demand led by consumption and the further appreciation of sterling has sharpened the dilemma for monetary policy. A further tightening of monetary policy was necessary, notwithstanding the further appreciation of sterling and the contractionary effects of the recent Budget."

These phrases showed that the Bank was well aware of the economic and social implications of what it had done. The "further appreciation of sterling" will now go much further and will aggravate the "dilemma for monetary policy" by doing the manufacturing economy irreparable damage. But the Bank has shown by its action that neither its calculations will pay scant attention either to the economic damage from an overvalued exchange rate or to the benign effects on inflation of a strong pound. If the deflationary implications of the strong pound do not impress the Bank, why should they frighten investors? Once the psychological barrier at DM3 is broken, it is hard to see what would challenge the next major target: the Lawson peaks of 1988/89.

To gauge the full significance of the Bank's policy we must look beyond short-term market implications of the policy dilemma created by a very strong pound. A rapidly rising real exchange rate is the most powerful and precisely-targeted weapon ever devised for destroying manufacturing industries in a market economy. A strong currency selectively culls manufacturing companies and discourages investment in the production of goods, since in a global economy all manufactured goods are exposed to international competition, whether they are made specifically for exports or sold only on the home market. Most services, by contrast, have to be produced on the consumer's doorstep, making



many service providers are completely immune to an overvalued exchange rate. In fact, many service businesses — retailers for example — benefit from a high currency. Lower import prices increase real incomes and thereby stimulate consumption, at least until the closure of manufacturing businesses and the resulting layoffs offset this effect. Even those services that are internationally traded, such as finance, can often thrive in exchange conditions that are ruinous to manufacturing companies — for reasons explained below.

But before examining this issue, let me deal with the main objection to this whole line of argument. Practical people often argue that Britain has had a weak currency for decades, while Japan and Germany, the world's most successful industrial nations, have lived quite happily with the strong yen and mark. The idea that a country can learn to love a strong currency is partly true, but it misses three crucial objections.

First, it is simply not true that the pound has been a chronically weak currency. In the past 20 years, the pound has exactly held its value on a trade-weighted basis and against the US dollar. It has fallen against the Canadian dollar, Italian lira and French franc. Admittedly, the pound declined against most currencies in the 30 years before 1977. But if we look back to the 1950s, why not consider the decades before that? On a truly long-term view, taking in the whole of this century, the pound has been a far stronger currency than either the yen or

the mark. Furthermore, the periods of the pound's greatest relative strength — the 1920s, 1930s and 1980s — have coincided with the fastest relative decline of Britain's manufacturing sector.

The second point — really the mirror image of the first — is that both Japan and Germany began with incredibly cheap exchange rates after the Second World War. The fastest build-up of their industries coincided with the period of most extreme undervaluation of the mark and yen.

The third objection to emulating the Germans and Japanese in their attitude to

In Britain, there are thousands of ill-equipped companies

exchange rates is that both these countries have recently fallen out of love with their strong currencies. In fact, for the past two years, the Bundesbank and the Bank of Japan (as well as the Swiss National Bank) have deliberately been keeping their interest rates at record-low levels to weaken their currencies. In the 1970s and early 1980s, these countries enjoyed much lower inflation than their competitors and this largely offset the rising costs caused by strong currencies. But once low inflation became a global phenomenon in the late 1980s, Germany and Japan rapidly lost competitiveness and they have been suffer-

ing from weak manufacturing investment ever since.

Figures published last week by the Institute for the German Economy in Köln show just how much competitiveness Germany in particular has lost in the last few years. An hour of labour in west German manufacturing industry cost an average of DM47.28, including wages, social security taxes, holiday pay, health costs and pensions. This was almost double the comparable figures for America and Britain, which were respectively DM26.60 and DM22.68. But lest this vast difference be attributed simply to excessive taxes and social overheads, it should be noted that French and Italian costs, at DM30.82 and DM27.92 respectively, were much nearer the Anglo-Saxon than the German level.

In fact, given the further appreciation of the dollar since the 1996 averages were collected, labour in both France and Italy is now somewhat cheaper than in the US.

Britain, however, remains cheaper than any of these countries — and much cheaper than Germany — even with the pound at its present level. In fact, on these figures the pound would have to rise to DM4.86 to equalise the cost of manufacturing labour in Britain and western Germany. Why, then, should anyone worry about the future of British industry?

The answer lies in productivity and investment — the vital components missing in simple comparisons of labour costs. Germany and Japan continue to record huge output surpluses despite their extremely high labour costs because their manufacturers are more efficient and better equipped than those

in Britain and France. Where relative costs become really relevant is not in a country's present export performance but in its attractiveness as a location for investment geared to future production. It is in this respect that Germany's strong currency and uncompetitive cost structure is becoming a serious handicap and forcing a decline in the relative share of manufacturing to GDP. In Britain, similarly, it will be investment in existing companies that suffers most from the strong pound.

In British manufacturing, there are thousands of ill-equipped companies with out-of-date products that cannot compete even with a 50 per cent cost advantage — which is why they will go to the wall if the pound stays above DM3. Many of Britain's service industries, on the other hand, have not suffered from decades of under-investment. Or if they have under-invested this seems to have done less damage, perhaps because these industries are less capital-intensive or because their products are rapidly changing, making past investment less relevant to future success.

Many internationally-competitive service industries, from finance and accountancy to architecture and computing, may continue to thrive in Britain even with the pound well above DM3. If the Bank's policies succeed, then, Britain will become the New York or California of the new Europe, while Germany remains its Detroit. That will be no consolation to the hundreds of thousands of industrial workers who will soon start to lose their jobs.

Exocet launchers who Pirc up the UK's boardrooms

Jason Nissé meets the self-professed guardians of shareholder rights

THE messy, overcrowded offices of the Pensions Investment Research Consultants — known as Pirc — do not suggest an organisation to make the likes of Sir Iain Vallance, Sir Richard Greenbury, Sir John Jennings, Lord Hanson and Lord Alexander of Weedon quake. But the boxes piled high in the fifth floor reception of the non-descript building on the edge of the City house research notes that have forced FTSE 100 companies to drop shareholder resolutions, change remuneration policy and adopt new articles of association. Pirc can exert a powerful influence.

The latest targets of this self-appointed custodian of corporate governance issues include BT and Marks & Spencer, which, by any measure, stand among the *crème de la crème* of British industry. Pirc is no respecter of size.

It boasts a board brimming with respected figures including its chairman, John Plender, the journalist; Jonathan Chalkham, the former Bank of England adviser; and Victoria Stephenson Harwood, a partner at Stephenson Harwood, the City lawyer. Yet its tactics, which go as far as proposing its own resolutions at annual meetings, as it did at Shell earlier this year, have often been criticised.

Sarah Wilson, head of Manifest, the proxy voting organisation, which covers much of the same ground as Pirc, says: "The City does not like being told what to do."

In the City, many feel Pirc fulfils a role but often goes too far — in the words of one fund manager "when they launch the Exocet, they should stand back, not chase it". Guy Jubb, corporate governance director at Standard Life, gives Pirc reserved praise. He says: "They have ensured that a number of important and sensitive issues have been aired in public debate," but adds: "Standard Life prefers to seek a constructive and partnership-based dialogue."

Standing a mere 5ft, Anne Simpson, the better known of Pirc's joint managing directors, does not look like one who would fire Exocets. Picking her way through Pirc's cluttered home, she apologises for the mess. "We're trying to find somewhere new. We've got 25 people now and we're bursting at the seams in here."

Still it is better than the

original offices. When Pirc was founded by the other joint MD, Alan MacDougall, as an adviser to local authority pension funds 11½ years ago, it was based in two rooms of the Bon Marché Business Centre in Brixton. The location reinforced the City's bias against Pirc as a "bunch of left-wing troublemakers" and "a mouthpiece of disaffected public sector."

But that view is outdated. Pirc has increased its client base by 40 per cent in the last year and now claims that funds worth £130 billion are subscribers. Of this more than £50 billion are pension funds managed by City institutions and only £35 billion are local authority schemes.

The company was forced to start diversifying the list of subscribers that buy its research almost as soon as it was created. The original idea of Pirc came from the early 1980s, when the old metropolitan local authorities — including the Greater London Council where MacDougall used to work — decided they needed a body that could provide them with advice independent from that offered by City firms. But then came the abolition of the GLC and metropolitan county councils in April 1986, the day MacDougall joined Pirc.

"We were sort of orphaned at birth," remembers MacDougall. "The largest local authority funds which were to fund us were abolished virtually at day one."

Originally, Pirc had little to do with corporate governance. Its original aim was to provide advice to the trustees of pension funds. Much of the early work was on ethical issues, such as investment in South Africa during apartheid.

"A lot of trustees found themselves very much out of their depth," says MacDougall. "They could not follow the principles of the Friends Provident Stewardship fund, which avoids investing in

things it does not like." Pirc's interest in corporate governance issues started about 1989, when it was inspired by the activities of US institutional investors such as CALPERS, the big Californian state pension fund, and the New York State scheme. This growth coincided with the recruitment of Anne Simpson and an added emphasis on the research team, run by Stuart Bell, which is now 12-strong.

Simpson — who joined in 1988 after a career as a journalist, a fundraiser for Oxfam and a researcher into banking and finance — points to two events that brought Pirc to prominence. The first was joining the US funds for a protest about the performance of Brooks Brothers, the traditional US clothes group bought by Marks & Spencer in 1988. The second was forcing Hanson to drop a proposal to change its articles of association to restrict the voting rights of shareholders in 1993. The fax from Lord Hanson saying the plan would be dropped is proudly displayed in MacDougall's office. Simpson's room boasts a photograph, by Nicholas Tucker, chairman of the Chelsea Arts Club, of a Shell sign with the "S" missing.

The Shell protest, earlier this year, showed both the best and worst of Pirc. Its AGM resolution, asking for five changes to Shell's policies on ethical and environmental issues, was almost irrelevant by the time it was put to the vote. Pirc asked for five changes to Shell's policies, four of which were put in place before the AGM and the final one being conceded at the meeting. Shell argues that it was amending its policies anyway. Pirc claims that Shell caved in to its demands. "Everything happened between the filing of the report and the last slip of the gin and tonic at the AGM with John Jennings [Shell's chairman]," says Simpson.

Although Pirc mobilised a great deal of support, it ultimately lost the vote in which an unprecedented 47 per cent of the company's shareholders voted. Indeed Pirc rarely succeeds in a protest when the issues are put to a vote.

However, Pirc's campaign has succeeded in mobilising shareholders and putting corporate governance at the top of the agenda. It may lose virtually every battle and still win the war.



Light blue touch paper: Anne Simpson and Pirc create fireworks at annual meetings

Evelyn war

FROM my helicopter circling Hyde Park yesterday, I am unable to pick out a familiar face from the crowd massing to defend the country dweller's right to slaughter anything in his or her path. (Yes, yes, I know it's more complicated than that. Allow me a little leeway.) Surely Sir Evelyn de Rothschild, who circulated a memo to his 1,000 staff at NIM Rothschild in London, "recommending" them to turn up, has had the courage of his own convictions?

And where is the tide of beetroot-faced brokers and merchant bankers we were told to expect, baying for the blood of hunt saboteurs? Well, Sir Evelyn was in Zurich, for Rothschild's annual meeting. A spokesman denied City rumours that all staff had been given four hours off to attend. And how many Rothschild staff did turn up to the Countryside Rally. "Only a handful."

After fending off nasty questions at yesterday's annual meeting about why Storehouse's shares have performed so abysmally, Alan Smith, chairman, must have been relieved to hear one lady shareholder politely inquire whether anyone else at the meeting had, like herself, held the shares since 1928, when British Home Stores was founded. "At least in the case of your shares, madam, they will have risen in value," he quipped. I only hope more recent purchasers saw the joke.

Checkmate
A COUPLE of days ago I wrote about the endless interruptions when a builder handed out my home phone number as the number of a local building site. Raymond Keene, *The Times* chess correspondent, has been plagued for months by irritating phantom fax calls, when the phone goes and all you get is that irritating electronic warble. He was finally rung up by an indignant investor who took him to task for not being the Lloyds Stockline retail dealing ser-

Checkmate

vice. He contacted Lloyds, which insisted the calls were the result of accidental transpositions of two digits in their own number. Unlikely, because of their sheer frequency. He persevered. For months they had, indeed, been handing over his number as the contact for faxes. Which begs the question, did no one notice when their own phone never rang? Or is business really that poor?



Carpet sweep
BRADFORD & Bingley, the building society that likes to say we're staying that way, has been running a campaign since last month to donate £1 to charity for every new account. Spectacularly mistimed, because a number of branch managers, overwhelmed by the flood of carpet-baggers trying to get in and force the society to demutualise, have had to

shut their doors to new members. Proving once and for all that charity really does begin at home.

Brown study

FORMER merchant banker Cameron Brown, whose C&B Publishing made its third acquisition yesterday since flotation on AIM in February, was not letting the gravity of the situation get to him. In fact, he wasn't there at all. Brown, ex-Guthrie Mahon and the man who sold Abaco to British & Commonwealth, flew out as the news hit the screens for a riding holiday in Wyoming.

ONE in, I promise, a continuing series of floatations from Hell. The assets are a Southend strip joint. No published report and accounts, you understand, and no sign of dividends. The plan, once quoted, is to buy one of the directors' private businesses. Welcome to Oxfex, the junior market for investors who find AIM a little too staid and stuffy. Welcome to Cherokee Leisure — don't ask, the strippers, sorry, table-dancers, dress up as Indian squaws. Oh, and the managing director is a recently discharged bankrupt. Delightful.

Miller's tale

EMAP, still desperately trying to sell 14 business titles but seeing the hoped for £25 million purchase price fast receding, has resorted to crude bribery. Staff staying right up to the handover are being offered a loyalty

bonus of up to £1,450. Robin Miller, Enmap's chief executive, has decreed. As there are 120 of them on titles ranging from *Media Week* to *Sea Food International* (yes, really), this could involve an outlay of as much as £174,000, mere buttons when you consider the size of the deal. The favoured buyer is Simon Timm, a former managing director. But Robin, I think you may be wasting your money. The deal would involve a relocation from various bits of London's mediantland to, horror of horrors, Croydon. A number of writers are therefore planning to wait until the cheque clears and then quit. Such loyalty, I chide one. "To Croydon? The quality of the cappuccino, my dear," he draws.

MARTIN WALLER



Miller: bonus cannot compete with the delights of Croydon

Base Rate

Bank of Scotland announces that with effect from

Thursday 10th July 1997

its Base Rate has been increased from 6.50% per annum to 6.75% per annum.

Head Office: The Mound, Edinburgh EH1 1YZ

BANK OF SCOTLAND a friend for life

Modest gains at the close

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020	1019	1018	1017	1016	1015	1014	1013	1012	1011	1010	1009	1008	1007	1006	1005	1004	1003	1002	1001	1000	999	998	99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Second bite at the Apple beckons as Amelio goes

By ERIC REGULY

THE resignation of Gil Amelio from troubled Apple Computer has given Larry Ellison, chairman of Oracle Corp, America's second largest software company, the last chance to "put up or shut up".

Mr Ellison, a critic of Mr Amelio, who was chairman and chief executive, has been circling Apple for some time. Earlier this year, he revealed that he was putting together a team to buy the Macintosh maker for \$1 billion (£592 million) and save it from oblivion.

Soon after, he boasted in *Vanity Fair* magazine that "by the time this article comes out, I should be chairman of Apple". Apple recruited Goldman Sachs, the Wall Street investment firm, to design a defence strategy.

Within days of the article's publication, he backed down, saying he had decided not to pursue Apple. No explanation was given. Amelio seems to have been right about Mr Amelio, however. Mr Amelio, former chief executive of National Semiconductor Corporation, joined Apple in early 1996 amid high hopes that he would find a way to break the stranglehold on the market for personal computers based on

Intel chips and Microsoft operating software. Computers using Apple's Macintosh operating system account for only about 5 per cent of the personal computer market.

But since his arrival, Apple has lost \$1.6 billion and its annual revenue is expected to decline from \$11.1 billion in 1995 to \$8.5 billion this year. Thousands were made redundant and programme writers defected to rival companies.

A search for a new chief executive is under way. In the meantime, Fred Anderson, chief financial officer, will run the company and Steve Jobs, who co-founded Apple in 1976 with Stephen Wozniak, will take on an expanded role as adviser to Apple's board and executive management team. Mr Jobs was ousted in 1985 and was reunited with Apple in 1996 when it bought his company, Next Software, for \$440 million.

Mr Jobs may be in the running to fill the top spot, but Mr Ellison has yet to declare his intentions. While his desire to take control was never fully explained, there is growing belief that Apple should be part of a larger group.

It has unofficially been on the auction block for many years. The new chief executive will either have to stabilise the company as a niche player or sell it. The latter is more likely.

Tempus, page 30



London calling: Gerald Kaye, development director, will look to the South East

Helical in £50m L&G deal

By CARL MORTSHED

HELICAL BAR, the property developer, has sold two retail projects to Legal & General for £50 million. The two retail parks in Norwich and Bolton have yet to be built but the developer has let more than half of the 150,000 sq ft on the Norwich site, and space has

been taken by PC World and Currys at Helical's 12-acre town centre site in Bolton.

Helical announced pre-tax profits of £12 million, up 30 per cent on the previous year, including development profits of £9.2 million. It is paying a total dividend of 8p plus a special payout of 2p per share to make up for the

extra two months in the 14-month accounting period to March 31.

The company, which is repositioning its portfolio towards London and the South East, saw net asset value rise to 435p from 368p. Net borrowings at the year end were £178 million, leaving balance sheet gearing at 170 per cent.

Rebels in vote to block Irish dairy link

FROM EILEEN McCABE IN DUBLIN

A DETERMINED ramp of Irish farmers could put an end today to the ambitious merger plans of Waterford and Avonmore food companies. The farmers, from the Kilmeehan district of Waterford, have waged an aggressive campaign against the merger, which would create the fourth largest dairy company in the world.

Along with thousands of other farmers in the south-eastern region of the Republic of Ireland, through their membership of Avonmore and Waterford co-operative societies, they hold the controlling interest in the respective publicly-quoted food companies. If the merger is to proceed, it must be supported by 75 per cent of those who attend the specially convened co-op meetings at noon today. The Kilmeehan vote could be crucial.

If the plan gets the green light the merged entity, to be called Avonmore Waterford, would be a major player in the global food industry. The proposal to be voted on involves a share exchange offer and price guarantees to milk suppliers. The revised deal values Waterford at more than £1.375 billion (£320 million).

The merger has met with stiff opposition from the Kilmeehan district, where farmers say that it will eventually lead to the local community losing control over an important industry.

In neighbouring Kilkenny, home of the Avonmore co-op, the merger proposal is widely supported and is expected to get an overwhelming endorsement at their meeting today.

BUSINESS ROUNDUP

Scapa buys Sellotape Industrial for £41m

SCAPA GROUP, the UK maker of fabrics and roll coverings for the pulp and paper industry, is acquiring the industrial tapes division of Sellotape International for £41.1 million. Sellotape Industrial comprises three manufacturing sites at Dunstable, Bedfordshire, and Lymington, Hampshire, and at Rorschach in Switzerland. It has distribution facilities in seven European countries and Canada.

In 1996 the division earned pre-tax profits of £5.2 million on sales of about £70 million. Scapa is acquiring net operating assets of around £21 million. It may pay a further profit-related consideration of up to £2.6 million. In a separate transaction Scapa is to sell its French consumer tapes business to Sellotape International for about £2 million.

Rodime shares fall

SHARES in Rodime, the electronic equipment group, fell from 24p to 13p, after it said that it was reviewing an American court ruling that its claims against Seagate Technology, fellow disc-drive maker, should include the thermal compensation system. Rodime alleges willful infringement of its patents. Earlier this week Seagate was ordered to pay \$55.5 million in damages and interest to Amstrad, in a case about faulty components for personal computers.

Cadcentre on the rise

CADCENTRE, the 3D computer systems group, raised pre-tax profits from £1.7 million to £1.78 million in the year to March 31 on sales up from £14.2 million to £17.4 million. Earnings fell from 7.96p to 7.13p. The group said that it had enjoyed its best year in terms of winning new customers and from sales to existing customers. New clients include Toshiba, Hitachi, Austrian Energy, Statoil and Bechtel. A maiden final dividend of 1.0p is proposed.

Bitter-sweet Burtonwood

BURTONWOOD BREWERY, suffered a fall in pre-tax profits from £4.34 million to £3.7 million in the year to March 31 on sales down from £49.1 million to £44.6 million. However, the previous year included a £1 million exceptional gain. Total dividend rises from 5.55p to 6p out of earnings of 11.5p (13p). Underlying trading profits rose 7 per cent. The company says that the current year has started encouragingly although the shares remained unchanged at 146½p.

William Ransom ahead

WILLIAM RANSOM & SON, the pharmaceuticals, toiletries and cosmetics company, lifted pre-tax profits to £1.13 million from £980,000 in the year to March 31. Turnover rose to £10.6 million from £9.9 million in spite of a 3 per cent fall in export sales, partly attributed to the strength of the pound. The company is undertaking a review of export markets. Earnings rose to 4.83p a share from 4.49p previously. A final dividend of 1.68p a share lifts the total to 2.528p from 2.298p.

Property lifts Wintrust

PRE-TAX profits at Wintrust, the small merchant banking group, rose from £3.12 million to £3.43 million in the year to March 31, helped by deals in the residential property market. Group operating income rose from £4.73 million to £5.07 million. A final dividend of 9.35p (8.5p) is due on October 1, making a total of 13.75p (12.52p). Earnings were 22.32p a share (19.99p). Richard Spiro, chairman and managing director, was bullish about current trading performance.

Soccer Investments plans to buy Leicester City

By JASON NISSE



Hansen: set for pay-off

ALAN HANSEN, the BBC Match of the Day soccer pundit and former Liverpool captain, and three other directors of Soccer Investments are to leave its board with payoffs totalling £60,000 after the AIM-listed shell's deal to buy Leicester City for £25 million is approved.

Soccer Investments, which was set up with the intention of buying a top club, yesterday unveiled its plans to buy Leicester City, the Coca-Cola

Cup holders. The deal is expected to put a £25 million valuation on Leicester, who will be playing in Europe next season, and give the club £10 million which was raised when Soccer Investments floated in May.

Tom Smeaton, the Leicester City chairman, has been pressing for a float for some months, pressing through a restructuring of the club's archaic capital structure, which had four different classes of shares. The money will be used to finish the redevelopment of the club's ground at Filbert Street and for Martin O'Neill, the manager, to strengthen the team.

The four directors of Soccer Investments — Mr Hansen, Mike Edelson, a director of Manchester United, Sir Rodney Walker, chairman of the Sports Council, and David Southworth, managing director of P&P — will resign when the deal goes through. They will receive payoffs of £15,000.

On top of that, all four have share option deals which were worth £10,500 yesterday, with Soccer Investments shares suspended at 110½p.

Mr Edelson revealed that Soccer Investments had also been in talks with Derby County about a similar deal. However, it is now expected that County, which recently moved from the Baseball Ground to a new stadium, will raise money from a venture

capital company rather than floating on the stock market.

Mr Edelson was behind the flotation of Sheffield United, which reversed into Conrad, the textiles company he used to run. He also has another public company, Prestbury Leisure, which is in talks to purchase Quasar, a football goods brand.

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[illegible]

After the Getty Centre, what next for Richard Meier? Joanna Pitman meets the winner of the biggest prize in the arts

Top architect seeks new grand project

Richard Meier, America's most prolific Modernist architect, is on the hunt for a new commission. His monumental Getty Centre, the \$500 million art museum and cultural complex that clings to the barren hills above Los Angeles, is to open in December after 13 years in the making. His Church of the Year 2000 for Rome is designed and progressing according to plan to mark the millennium.

He is also just finishing off the Siemens headquarters in Munich, a hospital in Singapore, the Swiss Volksbank building in Basel and a courthouse in the United States. He is, you might say, prolific. And to the grand flush of international architectural prizes already won (the Pritzker, the RIBA gold medal, the American Institute of Architects prize), he added this week the \$135,000 Praemium Imperiale prize for architecture, Japan's equivalent of the Nobel.

But now this lumbering, bear-like 63-year-old, considered the most successful American architect of his generation, suddenly sees no new project on the horizon. He waves his enormous hands around in the air and muses confidently on where the next prestige commission will come from. "It could be anywhere. I'm just waiting." He has built all over America and mainland Europe, leaving a trail of shining white modernist museums and corporate headquarters. But he has never built in Britain, and makes no secret of his desire to do so.

"I'd love to do a museum in Britain. They have always been my particular architectural interest. There's a great reciprocity between art and architecture, and my work suits great art works. But I'd love to do something new also, perhaps an opera house..."

Perhaps Meier is hinting that he wouldn't mind a shot at the Cardiff Opera House (plans by the Percy Thomas Partnership are currently on the table but not moving anywhere fast), or possibly a new home for the ENO.



"I'd love to design a new museum in Britain, or perhaps an opera house"
RICHARD MEIER

But how would Meier's buildings look in Britain? Since the late 1960s, when he co-founded the "New York Five" to counter the backlash against Modernism, he sees himself as having carried the Modernist mantle of Le Corbusier through the decades and delivered it safely to the turn of the century. His own buildings are "classically" Modernist: square, stark and brittle geometric boxes in the manner of Le Corbusier, with an easily recognisable vocabulary of nautical imagery and a

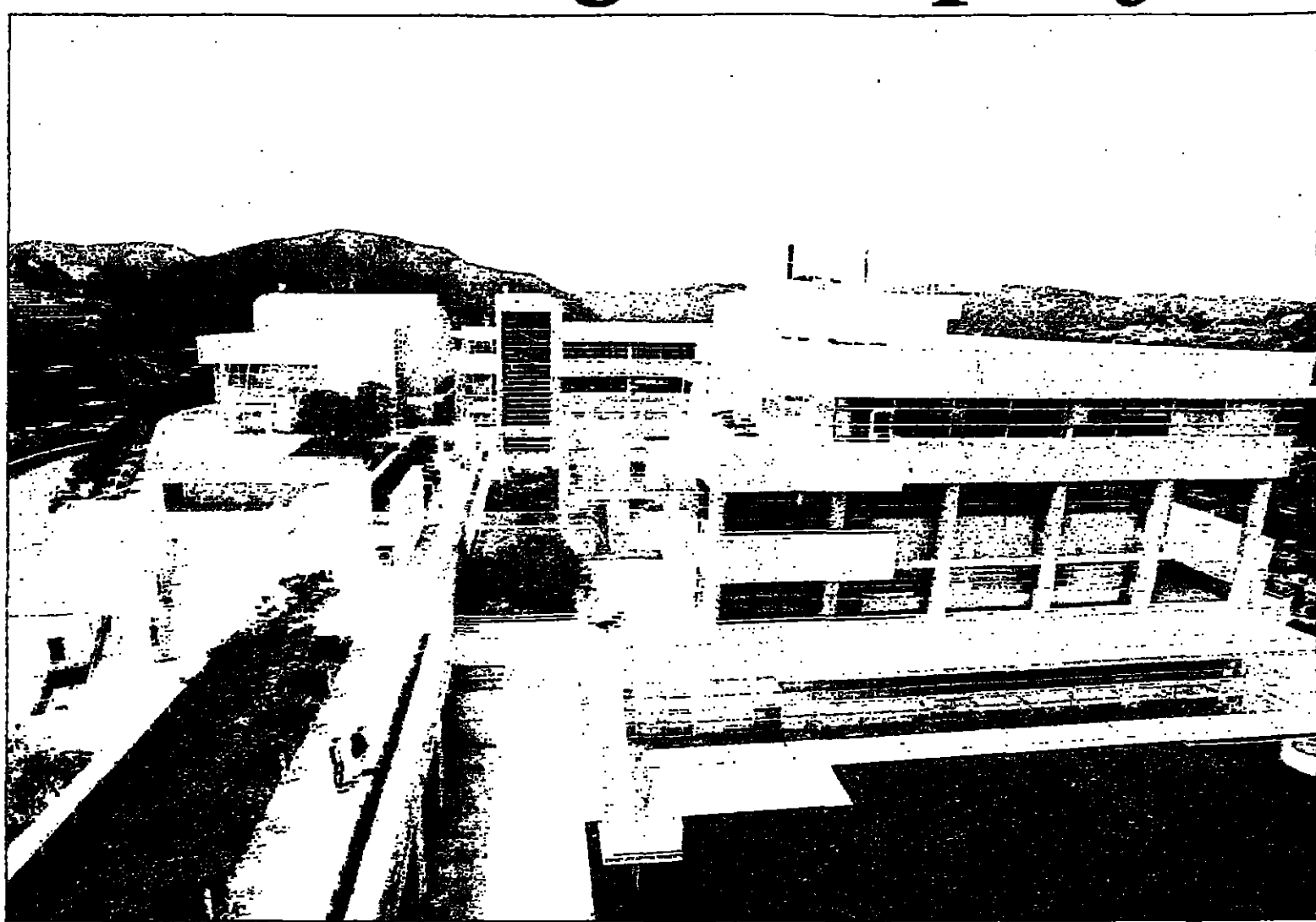
certain sterility of form. It is a serious-minded aesthetic and he observes, unashamed, that "each of my buildings is a work of art in its own right".

With his preoccupation with reviving the heroic image of Modernism, he has produced some sparkling monuments. In America he began with private houses for millionaires, but only when Europe got interested in his trademark all-white style did he begin building on a large scale. Recently he has built Frankfurt's Museum for the Decorative Arts, The Hague's City Hall, Barcelona's Museum of Contemporary Art, and corporate headquarters for Canal Plus, Hypolux Bank, Swissair, Daimler-Benz, Olivetti, Siemens and Renault.

Shining white and comfortably recognisable for Europe's ambitious city mayors and industrialists, Meier's buildings have not always been a success in practical terms. As the (pro-Meier) critic Paul Goldberger has noted about one of Meier's American houses: "It is necessary in midsummer to wear sunglasses in the living room at cocktail hour, perhaps a novelty for the one-time visitor, but less amusing surely if it has to be done every day." And the Canal Plus building on the banks of the Seine has suffered from external tile slippage and a troubling lack of loos.

Nevertheless, the continentals love him. The Mayor of Barcelona invited him, sight unseen, to design the new museum for his cash-strapped city. And the Roman press made much of the choice of the Jewish Meier to design their landmark new church.

Meier has a particular affinity with Rome. "I love the classical architecture, the work of Borromini and Bernini, their articulation of structure, the quality of light.



The \$500 million Getty Centre in Los Angeles opens in December. Meier calls it "a classical structure emerging serene from the rough hillside"

Architecture is part of a continuum of history and I have absorbed much from classical Roman work. I hope my church will make people think of Borromini."

Meier designed the Getty Centre, too, with ancient models in mind. "Through my use

of stone, the way the walls seem to grow out of the earth as they do at Hadrian's Villa, there is a certain relationship between the architecture and the landscape that relates to Ancient Rome. I see a classical structure, elegant and timeless, emerging serene and

ideal from the rough hillside, a kind of Aristotelian structure within the landscape."

And his careful Roman references do not stop there, for Meier has chosen travertine, the stone of Rome, to clad the Getty Centre. "There was local opposition to a white building

so I chose cleft blocks of rough travertine, something that would give a suitably monumental grandeur."

The Getty commission has in many ways been architecture's job of the century — given the spectacular site, generous budget and some of the greatest works of art in the world. But now that it has been wrapped up, Meier has 80 staff to keep busy and, as he points out, two young children to support. New commissions, particularly from Britain, are clearly welcome, and obviously the grander the better.

MUSIC: Too many premieres in Cheltenham; a fascinating Danish Music Festival in London

The Cheltenham Festival has never liked segregation very much. New music has traditionally been introduced as an item in a regular concert, such as John Buller's *Illusions* between Brahms and Tchaikovsky in this year's opening concert by the BBC Philharmonic in the Town Hall or Hugh Wood's Clarinet Trio between Beethoven and Mozart in the Gemelli Trio's morning concert in the Pitville Pump Room. In both those cases the familiar formula worked well.

Yet Lontano's late-night concert of five new works — there would have been six if one of them hadn't dropped out of the programme — was segregation carried to an absurd extreme. The late hour and the stifling heat in the confined proportions of the Town Hall room so unwisely chosen for the concert did nothing to enhance a situation brought about, it seems, by financial support from the King's College Annual Fund, which clearly wanted value for its money.

Most of the composers involved were associated in one way or another with King's College London. No doubt they were grateful to be represented here, alongside composers of no less stature than Maurice Ravel and the King's College Purcell Professor of Composition, Sir Harrison Birtwistle. But, after a confusing change in the order of the programme and an unhelpful decision by Odaline de la Martinez to lump some items together, they might have been having second thoughts.

At the end of an event like that, even Birtwistle's *Tragedia*, one of the pieces which established him as a leading member of the younger generation of composers in the mid-

Noteworthy case of ghetto programming

1960s, seemed oppressive (in fact, it always was, but not in this way).

So what chance could there have been for the seventh item in the concert, Silvana Milstein's grumblingly enigmatic *The Patch of Lavender Light*? Or Stefan Terry's thinly scored *Roll Around*, or Nick Huggins's pseudo *So, why didn't you cross the river, Peter?* or Lintima Spino's post-Enescu *Satire*, or Hyon-

Opening Festival Concerts
Cheltenham

Sue Chung's elusive *Small Wind*, or Robert Kealey's jokey *Chants and Encounters*? And who could have thought that, in these circumstances, they would have a chance?

Buller's *Illusions* had a

great chance. Alternating brilliantly scored dramatic gestures with brooding lyricism (of an often microtonally inflected exotic kind), it might have been written from an intimate knowledge of the dynamically motivated and generously expressive qualities of the BBC Philharmonic when working with Vassily Sinitsky. But why it petered out so ineffectively at the end, neither earlier events in the

Slice of Danish provides rare feast

IT IS not every artistic director who has to contend with music exams just as his festival launches. But trombonist Tom Hammond was sweating out his finals at the Royal Academy of Music while trying to finalise an impressive raft of artists (and sponsors) for his first Danish Music Festival.

The enterprise, whose direction he shares with the composer and conductor Matthew Taylor, has been gestating for several years, during which time there have been heroic student concerts and a Copenhagen/London amateur orchestra project.

Tuesday night's event was a tribute concert for Vagn Holmboe (1909-1996), whose pungent counterpoint and bright orchestral colours are immediately engaging. Sadly, despite the success of the current CD series (on BIS), this rare chance to hear his

Holmboe Tribute
St John's, Smith Square

music drew a small audience. Holmboe's works were framed by Haydn symphonies, to which he had constantly returned for inspiration. For *Symphony No 59, The Fire*, the City of London Sinfonia, hardly cradled. However, as if roused by the Holmboe, the players attacked *Symphony No 82, The Bear*, with renewed, if rough, vigour.

Holmboe's Chamber *Symphony No 1*, written in the 1950s, is a model of compressed symphonic invention, sprung on dynamic bass lines and high-tension counterpoint. As Robert Simpson has remarked, there is an "exactitude of expression" in such

pieces which lays bare their inner workings. The CLS tapped into the energy of the piece and appeared to enjoy it. Macneil, Bartók and Shostakovich spring to mind, but the emotions evoked are less elemental. The final encircling coda suggests nothing more sinister than apprehension. In the four-note motif with which it ends one is reminded of Shostakovich's own initials, but significantly Holmboe's rises upwards.

The Concerto for String Quartet and String Orchestra Op 195 was one of Holmboe's final works and a UK premiere. Acting as a concertante to the orchestra's ripieno, the string quartet set off a lively dialogue of snatched gestures.

Cellist Jo Cole rendered the contours of this simpler music gracefully, but was let down by splashy violin playing.

There was also some Per Nørgård: his *Pastoral*, from the film *Babette's Feast*, where folk tunes are gently distorted. If it takes the enterprise of a trombone student to bring Holmboe and Nørgård to London, then roll on the next Danish Festival.

GERALD LARNER

HELEN WALLACE

Hounded into the maze

RADIO
The unspeakable in pursuit of the unstealable is not a fair description of four opinionated broadcasters hounding, so to speak, their studio guests. But Oscar Wilde's phrase rose irresistibly into the mind yesterday when *The Moral Maze* returned to Radio 4 for a ten-week run.

This has long been the most muscular debating chamber in all of radio, though it is by no means the only one. On other days, and at other times, both *Start The Week* and *Soapbox*, also on Radio 4, can lay claim to getting our prejudices into top gear. But nobody does it quite as well as *The Moral Maze* panel.

Yesterday the subject was indeed hunting with hounds, pegged to the arrival in London of all those country folk who are trying to prevent the House of Commons making hunting illegal. If the programme's most intransigent panellist is correct the marchers will fail, for according to Dr David Starkey we now have a Parliament of "hypocritical puritans eager to impose their own values on the rest of us... I loathe the lot of them."

The lawyer Michael Mansfield, the journalist Janet Daley and the moral ethicist Dr David Cook are the other members of the panel, and they are just as opinionated. Starkey's special talent is for making nearly everything he says seem menacing. He re-

briefly cornered by one or other of the hunters, though none left the arena with more than a few scratches. John Cooper of the League Against Cruel Sports was least convincing, which does not of course make him wrong.

There is not much doubt that the Private Member's Bill now before the Commons will be passed, making hunting with hounds illegal. This will make Islington socialists feel better, but it will benefit the fox not one jot. Still, at least the Bill will continue to allow me two pleasures: fishing and listening to Starkey bite lumps out of people every Thursday morning in season. As Buerk said at the end of the programme yesterday: Tally-ho!

PETER BARNARD

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It's the little things Oasis do that mean a lot - like being fair with singles, for a start

Send them victorious

As you may have noticed at the time, the papers and television were full of news and comment about the handover. Trevor McDonald presented a special report on *News At Ten*, bursting with lots of whizzy graphics; the tabloids took their customary in-depth breeze through the hard facts, backed up with lots of pictures of young women in short skirts. Then, on the stroke of midnight, the Historical Event itself took place.

Record stores all over the country opened as the clocks chimed 12 so that loads of men in expensive anoraks could lay claim to buying one of the first 250,000 copies of *What I Mean?* Now the singles charts have been formally handed back to Oasis.

Their first new single for 18 months has already gone platinum and the world is, once again, filled with the joyful sounds of a man shouting over a wall of guitars.

The continuing success of Oasis bemuses many. When they first pimp-rolled on to the scene, with their fists rammed in their pockets and their expressions oscillating between "mad for it" and "mardy", many explained Oasis away as a public hunger for a bit of rough.

A year later, their ongoing chart-toppingness was rationalised as a simple bout of nostalgia. The Beatles versus Oasis wars were kick-started, and many arts commentators decided Oasis-fervor was just a longing for an almost remedial traditionalism.

This time around, no one's saying anything - yet - because the Spice Girls aren't doing anything until Christmas, and you should never look a gift news story in the mouth. Especially when that news story would probably thump you if you got anywhere near its mouth.

So why are Oasis still so huge? Well, obviously, the melodies and the voice are still insistently brilliant.

Also, Oasis have reached that point in their career where they have ceased to be a band and have become a

national signifier for Britishness, like Union Jack pants and disappointingly mean sandwiches.

We won't all suddenly stop buying their records and going to their concerts, in the same way we wouldn't suddenly decide to stop using the phone or eating crisps. A lot of Oasis-love can be traced back to the aforementioned remedial traditionalism. In a world where bands have new directions, hair-restructuring and makeovers every other Wednesday, Oasis remain reassuringly Oasis-like at all times.

But Oasis's trump-card is, as Noel Gallagher has frequently explained to the frustration of journalists looking for a more thrilling quote: "People know what they want, maaan."

Put more complicatedly, the process of buying a single has, these days, become as tricky and decision-filled as deciding on a personal pension scheme, or a particular "pulling" lipstick while in a hurry.

Wandering into a record shop, intending to buy a kicking tune heard blaring from next door's builder's radio, one is presented with a panic-inducing panoply of "choice" these days. The seven-inch is pressed in exciting tangerine-coloured vinyl; but the twelve-inch has an "extra bonus track".

Buying "CD one of a two-CD box set" facilitates listening to a "new" B-side, but also means sitting through two remixes and a "Ha! No one's ever going to listen to it, are they?" demo.

The other CD has the other new B-side, which is better than the song on CD one but also has a remix of the terrible first single, and a horrible live version of *White Lines (Don't Do It)*, for which the band have been "joined" by a member of Big Country.

It all makes the experience of buying a single more expensive and more stressful but also much less illegal than simply tapping your current fave rave off the radio.

Oasis are one of the few bands to have bucked this trend. An Oasis single always has three brand new, top-

Walking tall in the marketing wasteland: the cover of Oasis's *D'You Know What I Mean?*

notch B-sides on it - *Acquiesce*, *Rockin' Chair*, *The Masterplan* and *Talk Tonight* could all have been A-sides - and comes in "just the one format" format.

This means buying an Oasis single evokes giddy childhood memories of tottering to Woolworths, pocket money clutched in sticky paws, in order to blow it all on the new

Smiths single and a pleasantly indecisive ten minutes in the Pick'n'Mix.

It may all seem a small point, but it's probably one of the most important when one boggles at the continuing enormity of Oasis. They don't treat their musical career as a cynical exercise in marketing, and have returned to the old ethos of putting out records

that are good, with as much value for money as is humanly possible, in one, simple to use, easy to clean format.

You don't need a *Which?* guide to remixes and B-sides to buy an Oasis single. Which, to judge from the bleary state of the beer-boys buying *D'You Know What I Mean?* at midnight on Monday, is just as well.

Dangerous too? No

He has been married twice, divorced once, ensnared in a child abuse scandal and become a father since he last toured Britain. But the intervening years dissolved like snow in the sun as soon as the extraordinarily lithe figure of Michael Jackson burst on to the stage of the 50,000-capacity Don Valley Stadium, Sheffield.

The 39-year-old superstar arrived in the nose cone of a rocket. Dressed in gold, robot-like armour-plating he opened proceedings with *Scream*, a razor-sharp distillation of space-age angst that reverberated around the huge venue with steely might.

In the ensuing two-and-a-half hours Jackson powered his way through a show that touched on most aspects of his extraordinary career. There were moments of cartoon drama during the dance routines of *Thriller* and *Smooth Criminal*: bathos when Jackson threw himself in front of a tank (seriously) that rolled on to the stage during *Earthsong*; and at least one instance of unintentional farce when a girl from the audience, brought on stage to bond with Jackson during *You Are Not Alone*, got carried away and had to be prised, kicking and screaming, from her idol.

A medley of Jackson Five



hits, including *I Want You Back* and *I'll Be There*, was accompanied by a collage of baby pictures and home movies. Falling on one knee and covering his eyes with his hands, Jackson milked the moment of nostalgia.

Among other stunts, Jack-



Michael Jackson: a rather cold king of pop

son was "buried" under a huge bank of fake speaker stacks at the end of *Black or White*, encased in an Iron Maiden during *Thriller* and hoisted above the crowd during *Earthsong*, which was essentially a reprise of the Messiah-like image that so irked Jarvis Cocker during Jackson's set at the Brit Awards last year.

The set was punctuated with snippets of video footage from Jackson's back catalogue - including sequences from *Thriller*, *Dangerous*, *Remember the Time*, and many more; truly an embarrassment of riches.

Jackson's dancing was sensational, especially the moonwalking routines during *Billie Jean* and *Beat It*, and his singing scarcely less so. But, for all the slickness of its presentation and attention to detail there was a lack of emotional engagement at the heart of the show.

Jackson is a consummate performer and still the king of pop, whatever his detractors say, but he has become a distant and isolated figure, a predicament which this show, for all its theatrical skill, did little to address.

DAVID SINCLAIR
This review appeared in later editions of The Times yesterday

When Mike Stern's most famous employer, Miles Davis, supplemented the Boston-born musician with fellow guitarist John Scofield in the trumpeter's 1980s "comeback" band, he commented: "I thought that if Mike listened to John, he might learn something about understatement."

Verboosity has frequently been seen as Stern's hallmark. Once he steps to the front of the stage and begins soloing, music just seems to pour out of him.

Since leaving Davis's outfit, however, Stern has disciplined himself, so that whereas formerly notes tumbled over each other, in a somewhat undisciplined, promiscuous rush, they are now carefully controlled.

Stern will always be garrulous, but these days what he says makes perfect sense; he's even emulated Scofield in a way Davis could not have predicted by opting for saxophonists - initially fellow Davis alumnus Bob Berg, now West Coast tenor player Bob Sheppard - as front-line partners, and his current rhythm section, bassist Lincoln Goines

When tight is right

JAZZ
Mike Stern
Barbican Hall

and fusion drummer supreme Dave Weckl, impose further tightness on his sound.

That sound, too, has changed since the mid-1980s. "Head-banging" guitar might reasonably have described his approach then; rock-based effects - screaming climaxes, distortion - littered his solos. Now his sound is a great deal more homogeneous: an attractive, spangly, long-lined lyricism that might reasonably be mistaken for a slightly more vigorous (and protic) version of John Abercrombie.

To judge by the reaction of a large and vociferous Barbican

audience, Stern's is a formula with great popular appeal. Leaving typically punchy, straightforward material with moody, jazzy shuffles, and combining tellingly with the pleasantly throaty Sheppard, Stern produced 90 minutes of full-throttle, muscular fusion in which the fast and furious was mixed with just the right amount of restraint and taste, and the musicianly qualities of the quartet unaffectedly showcased.

Stern once explained his musical provenance to the Paris-based journalist Mike Zwerin thus: "I grew up with the Beatles and then fell in love with jazz. I came by both honestly. That may be my biggest dilemma or gift. I'm not sure which - probably both."

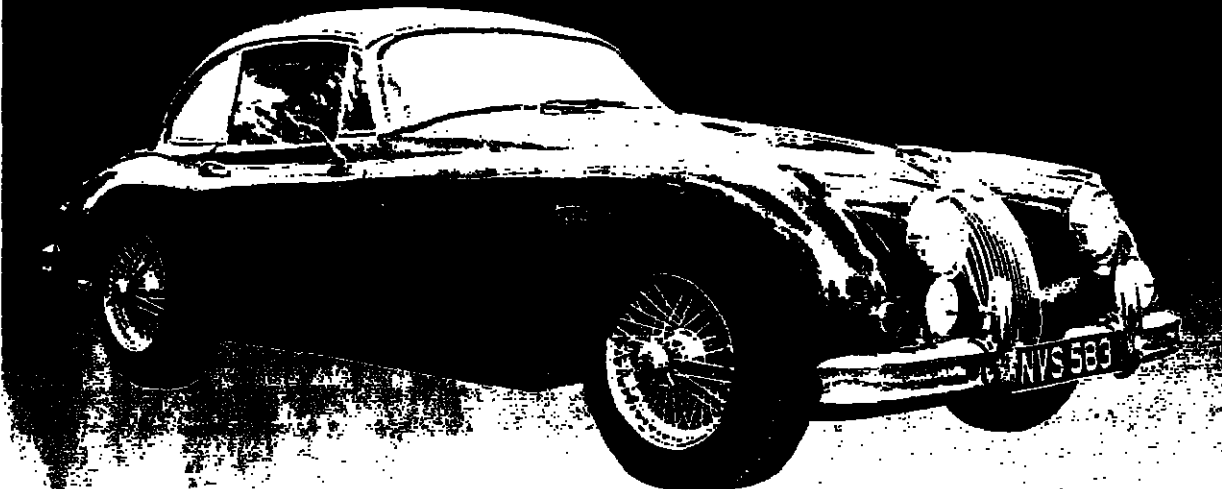
That was the 1980s; now, Stern has produced a genuine fusion between the immediate accessibility of rock and the rhythmic and harmonic subtlety of jazz, and what was once undoubtedly something of a dilemma has been transformed into a gift.

CHRIS PARKER

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THE TIMES

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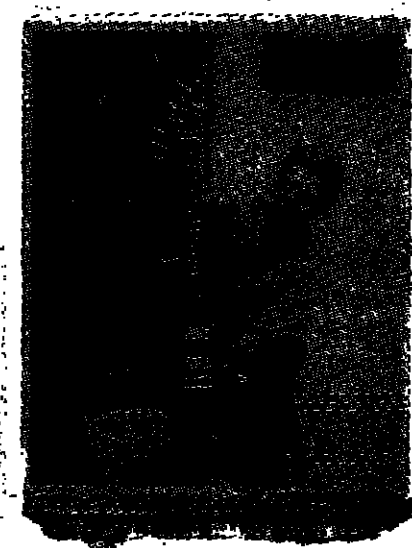
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The winner will be chosen at random from all correct entries received. The lines will be open until midnight on Monday, July 14. Normal *The Times* newspapers competition rules apply. 0891 calls cost 50p per minute. Car kindly supplied by The Garage on the Green, Weybridge, London, retailers of fine classic and modern vehicles. Enquiries: 0171-384 1100

CHANGING TIMES

first for singles

THE WORLD
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مكتبة الأمل

Old big hare is back in the hutch

ALBUMS: Down? Gloomy? Still missing arch-goths Echo & the Bunnymen? If so, David Sinclair has good news for you

ECHO & THE BUNNYMEN
Evergreen
(London 528 905 £13.99)
AS A symbol of what happened to British pop in the 1980s, Liverpool's Echo & the Bunnymen were perfect. Moody and magnificent in a stunted, self-consciously English way, they talked a good fight, but seemed to lose their bottle when anything but the most parochial sort of greatness beckoned.

After the defection of singer Ian McCulloch and the death of drummer Pete Dinklage, the band eventually fizzled out in 1992. But, despite the blots that marked their copybook by then — and there were many — a sense of unfinished business remained, as if the group had never quite made the best album they had in them.

Evergreen is certainly not it but, as these sort of reunions go, it is more satisfying than most. Featuring McCulloch, together again for the first time since 1988 with founder members Will Sergeant (guitar) and Les Pattison (bass), the 12 new songs all have that epic yet lilting quality, laced with a hint of darkness, that was the Bunnymen's stock-in-trade. *Baseball Bill*, with its pugnacious lyric ("Are you looking at me?") is the most obvious out-and-out rocker, but more typical are songs such as

Nothing Lasts Forever and *Almanac*, which proceed at a dignified pace and conjure the philosophical air of men who have returned to the fray a little older and wiser.

"There's no more wishes in the well/No more dreams to sell," McCulloch sings on the title track. Maybe not. But even if it wins them few new fans, *Evergreen* is certain to revive old allegiances, and does so with some style.

PAULA COLE
This Fire
(Imago/Warner Bros. 9362-46424 £13.99)

OF THE many babes with attitude to have come along in the wake of Alanis Morissette, Paula Cole from Massachusetts is one of the more intriguing. An alumnus of the Berklee College of Music in Boston, she is both an accomplished musician and a fiercely emotional performer. On *This Fire*, her second album, she combines outpourings of angst with accessible pop tunes, although not necessarily at the same time.

Most people will recognise her current hit, *Where Have All The Cowboys Gone?*, a seductive melody with a lyric apparently lamenting the passing of the traditional sexual stereotypes — "I'll raise the



Echo & the Bunnymen — Will Sergeant, Ian McCulloch and Les Pattison — won't change the world with their comeback, *Evergreen*, but their fans will be pleased

children if you pay all the bills" — but no doubt subject to a heavily ironic subtext.

At the other extreme is *Nietzsche's Eyes*, a dramatic, Tori Amos-ish affair with a piano and violin pipes accompaniment, at the end of which Cole's voice is left stranded on its own in the mix, spitting out syllables with a raw mixture of venomous rage and unbearable desperation.

Somewhere between the two are any number of songs — such as

Throwing Stones, with its aggressively fast, banging beat and *Mississippi*, a deep, sluggish groove with an undertow of ugliness — that make this an album full of grit and the frequent shining pearl.

TODD TERRY
Ready for a New Day
(Manifesto/Mercury 536 076 £13.99)

"IN THE beginning he created a groove/And with this groove he made us move/And it set our souls free/House was a way of life..." So begins the gospel according to Todd Terry, the American house music DJ, producer and remix specialist who is knowingly referred to as "God" among writers

of the specialist club-music magazines. For Terry the beat is the thing, the more insistently pneumatic and unyielding the better. But, while tracks such as *Free Yourself* and *Come on Baby* are simple grooves decorated with even simpler phrases such as "Come on baby" or "Ain't nothing but a party going on", sampled and repeated ad nauseam, elsewhere Terry strikes a better balance between the demands of feet and feeling.

His hit of last year, *Keep On Jumpin'*, and the current single, *Something Goin' On*, are two of several numbers featuring the soul diva vocales of Martha Wash and Jocelyn Brown, while *Ready for a New Day* (also featuring Wash)

brings a touch of gospel-style exuberance to the relentless four-on-the-floor pulse.

UB40
Guns in the Ghetto
(Dep International/Virgin 7243 8 44402 £14.49)

THE imagery of the title might suggest a return to the agit-reggae roots of early albums such as *Present Arms*, but UB40 are far too set in their mainstream pop ways for that to happen now.

True, the song *Guns in the Ghetto* is an emotional plea for an end to the widespread carrying and use of guns in Jamaica, where most of the album was written and recorded, but, as with the rest of the tracks on this somewhat slender

volume (running time just 38 minutes), it is couched in tones of such elegant and leisurely politesse that you would never mistake it for a protest song.

Like a vintage wine, UB40's brand of reggae has matured slowly and uneventfully, incorporating none of the more recently imported flavours of the ragga/rap and dancehall acts (although there are plans to release a DJ/dancehall version of this album later in the year). Rather than innovation, their sound is subject to increasing sophistication, whether it be the smoochy *I Love It When You Smile* or the soothing *Oracabessa Moonshine*, which will do wonders for the local tourist industry, if nothing else.

TOP TEN ALBUMS

- (1) *The Fat of the Land* Prodigy (XL Recordings)
- (2) *OK Computer* Radiohead (Parlophone)
- (3) *Heavy Soul* Paul Weller (Island)
- (4) *Vanishing Point* Primal Scream (Creation)
- (5) *Spice* Spice Girls (Virgin)
- (6) *Before the Rain* Etanet (EMI)
- (12) *Essentials* David Gates & Bread (Warner ESP/Live)
- (10) *Stosh* Stink Analele (One Little Indian)
- (21) *Come Fly With Me* Fun Lovin' Criminals (Chrysalis)
- (31) *Guns in the Ghetto* UB40 (Dep International)

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Figure in brackets denotes last week's position

Paul Sexton on the sell-off that saw a generation of classics change hands

Motown put the soul in sold

Songwriters often say that their compositions are like children to them. Last week's purchase by EMI Music Publishing of a 50 per cent share in Jobete Music, a vast mansion of memories containing all the golden songs of Motown Records, underlined the fact that many of those children now have foster-parents.

EMI Music's cheque for \$132 million finally coaxed classics such as *I Heard It Through the Grapevine*, *Baby Love* and *The Tears of a Clown* from the loving embrace of Berry Gordy, the man who built and ran the Motown dreamhouse after founding Jobete in 1959. EMI Music chairman and CEO, Marty Bandier, had pursued the prize of Jobete's 15,000-odd songs for 20 years and Gordy, himself a songwriter in Motown's formative years, had snubbed many previous suitors, including the acquisitive Michael Jackson.

Gordy remains chairman and principal shareholder of Jobete, but the deal effectively ends the autonomy of one of the mightiest of independent music publishers. Berry will still get to visit the kids at weekends, but the vintage songs of Stevie Wonder, Smokey Robinson and Holland-Dozier-Holland will be staying somewhere new on workdays.

In picking up the key to Motown's heritage, EMI Music adds a formidable new facet to an already vast publishing portfolio and will begin to work the Jobete catalogue, going about the publisher's business of exploiting the songs in films, television, and encouraging cover versions by modern artists.



Motown's memory makers: Marvin Gaye, Smokey Robinson and Stevie Wonder

people buy a record and see the record as being the song, whereas it's two different things. A song is an intangible, it almost doesn't exist. It's something you can sing, and you can print out the notes, but it's not the same as a record."

"We are low profile, and we want to keep it like that," says EMI Music's UK managing director Peter Reichardt. "Even inside the business, a lot of people say to me: 'We don't quite understand what it is you do.' I say: 'You should find out, because we have been around a lot longer than you have.'"

Wheeling and dealing in copyrights as they do, major publishers may appear to be no more than the music industry's estate agents, but publishers both large and small are often a pillar of financial and creative support to the songwriter. At any gig by a nascent talent, artist and repertoire reps from record companies will be shoulder to shoulder with their publishing counterparts, every bit as keen to acquire song rights as the labels are to nail the act for a recording deal.

Bug Music operates unlike many other publishers in that it represents the work of

songwriters, but the composer retains ownership of his copyrights. Bug administers the catalogues of such seasoned performers as Iggy Pop, Richard Thompson, Los Lobos, and a swathe of blues copy-righters, such as those of Willie Dixon, John Lee Hooker and Buddy Guy. Like other publishers, Bug works hard at placing songs to generate both fees and profile for its authors, but none of them is going to turn on the TV and hear their song in a corny ad unless they have given the go-ahead.

"Under our agreement we can't grant a right for a song to be used in, say, a commercial unless the writer agrees," says Anders. "But people want their songs heard. These days the question I get asked most often is 'Can you get my songs in films?'"

With the Jobete sale, the independent sector may be weakened, but not hobbled. One of America's greatest pop songwriting duos, Jerry Leiber and Mike Stoller, recently chose the independent Rondor Music, and not one of their many bigger suitors, to represent their treasure trove of 1950s and 1960s hits in Britain and parts of Europe.

Publishing history is full of tales of wicked stepfathers exploiting innocent songs while their real parents watch helplessly after signing the adoption papers. In 1985 Paul McCartney was dismayed to be outbid for his and John Lennon's catalogue by Michael Jackson, especially when the former Beatle discovered his old friend was making more money out of *Yesterday* than he was.

"Memories belong to a certain generation," says White, "and clearly the generation that grew up on Motown keep a special place in their heart for these songs. But songs must keep their emotional power from one generation to the next and, if they're interpreted with respect, that can happen."

If, as Reichardt promises, EMI Music handles its Motown inheritance with care, there ought not to be a return to the kind of song placement that once saw the Four Tops dressed in gorilla suits singing *Reach Out (I'll Be There)* for an American fizzy drink commercial. "Jobete is now in much better hands; we're far better equipped to look after it," says Reichardt. "Publishers do have a responsibility for maintaining the image of songs. We get asked all the time for the right to use songs in commercials, but if it's wrong for the song, we say no."

"A song is intangible: it's not the same as a record"

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Spooks' night at the pub

DONALD COOPER

Conor McPherson's last play was a monologue called *St Nicholas*, in which a horrible Irish critic described coming to London and meeting a lot of vampires. His next-to-last play was *This Lime Tree Bower*, a series of monologues about life amid the chip shops and discos of a seaside town near Dublin. And if you were *dead* to good stories, blind to fine acting and dead to human emotion, you could, I suppose, put down his latest play by saying that, too, displays more talent for sustaining long speeches than for generating dramatic conflict.

I don't intend to be so ungrateful. For *The Weir* confirms that, at 26,

The Weir

McPherson is one of the brightest dramatists that even Ireland has recently sent us. Moreover, his play ventures into an area which that defiantly three-dimensional form, the drama, usually ignores. When did you last see a decent ghost story in a theatre?

Actually, McPherson offers four ghost stories in what is yet isn't an improbably dull setting. From *Synges* onwards, Irish drama has presented us with characters who escape from their drab lives by indulging fancy and exercising imagination. And what could be greater than the rural pub where *The Weir* is set, with its scarred green walls, blankets covered armchair, and plank of a bar?

This is where the occasional local comes for a chat about racing, the weather, or the coming influx of German caravans. But, as the night thickens and the light gets yellower, the atmosphere becomes stranger, more fascinating. There is a good excuse for this. A pretty young Dubliner has just bought a house with a sinister reputation, and when the mildly lecherous businessman who has sold it brings her in for a drink, she clearly impresses the male clientele.

And how do they compete for her attention? Why, in refreshingly un-English ways. Garage-owner Jack (Jim



Kieran Aherne, Brendan Coyle, Julia Ford and Jim Norton enter into the ethereal storytelling of *The Weir*

Norton) tells a tale about fairies knocking on the door. Hotelier Finbar (Gerard Horan) follows it with a story about a spectral woman on the stairs. And then Jack-of-all-trades Jim (Kieran Aherne) caps this with his memories of having met the dead paedophile whose grave he was digging.

At this point Julia Ford's Valerie, the woman they have been politely playing with, makes an overdue exit for a pee, leaving the other characters to accuse each other of terrifying her. But

this is as far as McPherson pushes dramatic conflict, for no sooner has he returned than monologue reasserts itself. Ford launches into the tale of a bereavement so painful, so authentic, yet so bizarre in its consequences that even the collapse of a spectator in the second row did not noticeably distract a rapt audience. That takes strong writing and powerful acting.

The last, somewhat addition of another example of personal loss, this time from Jack, could have been an anti-

climax, but Norton makes the ageing, anguished old gnome so objectively believable that I don't regret it. Indeed, Ian Rickson's production left me regretting nothing, not even the fact that Brendan Coyle, playing the publican, is the only performer with no ghost story to tell. But then there is an actor in London better able to fill silences with brooding emotion? I can't think of one.

BENEDICT NIGHTINGALE

FESTIVAL: Tony Patrick discovers an extraordinarily ambitious new symphony in Budapest

The idea of British journalists travelling to Hungary to attend the premiere of a Swiss composer's work, named for an Australian landmark, sounds like something Malcolm Bradbury might have toyed with for its comic potential. In reality, a visit to Budapest for the 1997 Whitsun Music Festival offered a remarkable lesson in how the world is shrinking.

Robert Bachmann is a Swiss-born composer and conductor. Recognising the strength and quality of Hungary's musicians he put forward the idea of a new music festival to the country's authorities, and the first event was held in 1993. This year its highlight was the first performance of his own "Fractal Symphony".

He began work on it in 1992, having recently visited the mysterious, monolithic Ayers Rock in Australia. Known to local Aboriginal people as Uluru. At the time he was dissatisfied with most avant-garde music, which seemed to offer no hope of creating work that could take composition into a future defined by instant-

Musical journey from Ayers Rock to Internet

aneous, worldwide communication. A meeting with Benoit Mandelbrot, the deviser of fractal geometry (an aspect of chaos theory applied to computer technology), the Nobel prizewinning physicist Gerd Binnig and the mathematician Mitchell J. Feigenbaum led Bachmann to consider the application of Mandelbrot's theories to music. Fractal geometry produces infinitely expandable shapes, within which each tendril is revealed as containing further tendrils, and so on: an endlessly repeated basic pattern which evolves and changes as it grows. The whole can be seen in its smallest component, just as Ayers Rock, at the same time, one boulder and uncountable millions of small particles of sandstone.

Bachmann's piece is an

exploration of some pretty hefty philosophical questions. What do we perceive? How do we interpret it? What is reality? Is it the same as anyone else's reality? For instance, what we understand when we hear the word Uluru, or look at Ayers Rock, is not what an Aborigine will understand, but no less true or real. The piece is designed to encourage every listener to create their own version - the CD version can be programmed to play any or all sections, in any order.

Uluru is scored for a massive orchestra of 108 players, playing on 108 different staves. Also involved are 74 singers: they again are massed soloists, singing the one word "Uluru". Although the piece is in no sense intended as a portrait of the Rock, when Bachmann took his first recordings to

installation and *Cyberopera*. For the Budapest premiere of the symphony there were two violinists, Elena Denisova and Jeanne Christe, a didgeridoo player of great skill, Marshall Whyler, and the exceptional mezzo-soprano, Christina Ascher. The "List Academy Hall, though beautiful and with unequalled acoustics, is relatively small, and once the singers and percussionists had taken their places, there seemed almost as many performers as listeners. The atmosphere of excitement was heady and the delight of the musicians apparent.

It was an exhilarating occasion, and unique in that the next performance will incorporate elements of the first, and will employ different forces, perhaps including images and dance or other action. Bachmann hopes that he can next bring the piece to London. Meanwhile, interested British music-lovers can sample the excitement via the newly released CD and on the Internet (<http://www.uluru.org>) and (<http://www.cybersymphony.com>).

LONDON

GREENWICH AND DOCKLANDS INTERNATIONAL FESTIVAL

Festivals of art and music with a variety of events, including a programme of music by Benjamin Britten. Tonight also see the first of a series of free outdoor performances at the Royal Naval College. Headline (8.30pm) - *Antony and Cleopatra* by the Royal Naval College. A full-scale production of the play, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE CENCIL Amadeus Opera produces a new production of the opera *Don Giovanni* by Wolfgang Amadeus Mozart. The production is a new production of the opera, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

ELSEWHERE **BIRMINGHAM** is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

ALL'S WELL THAT ENDS WELL is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

ART David Hockney's new painting, *Portrait of an Artist (Self-Portrait)*, will be displayed at the Royal Naval College. The painting is a new painting by the artist, and will be displayed at the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

DAMN YANKES is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

GUY'S AND DOLLS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE HERBAL BEND is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE FAIRY is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

GET ON THE BUS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

MURDER AT 1000 is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

UCI WHITELIGHT is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

SELECT HONEY is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

SWINGERS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THINNER is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

WEEKEND CHOICE

A daily guide to arts and entertainment compiled by Marit Hergie

Symphony Chorus and Youth Chorus will perform a new production of the opera *Don Giovanni* by Wolfgang Amadeus Mozart. The production is a new production of the opera, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

BUXTON The Buxton Festival opens its season with a new production of the opera *Don Giovanni* by Wolfgang Amadeus Mozart. The production is a new production of the opera, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

Simon Rattle conducts Berlioz in Birmingham is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THEATRE GUIDE **Jeremy Kingston's assessment of theatre showing in London** **House full, returns only** **Some seats available** **Seats at all prices**

MASSAGE is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

MARLENE is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE SCHOOL FOR WIVES is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

SHOPPING AND FASHION is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

LONG RUNNERS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

CON AIR is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE DEVIL'S OWN is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

ONE FINE DAY is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

BATMAN & ROBIN is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

PRIVATE PARTS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE MISS SAIGON is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

THE FASTEST SHOW ON EARTH is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

STARLIGHT EXPRESS is a musical about the city of Birmingham. The production is a new production of the musical, with a cast of 100, will be performed at the Royal Naval College. On the programme are also a variety of other events, including a concert by the Royal Naval College. Tickets and information (0181-483 2244) until July 25.

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Court to set life tariff for young person

Part-time student entitled to seek benefit

Regina v Secretary of State for the Home Department, Ex parte Furber
Before Lord Justice Simon Brown and Mr Justice Owen
[Judgment June 30]

A court should set the minimum tariff when sentencing a young person to detention for life under section 53(2) of the Children and Young Persons Act 1933 and that the tariff should generally be half the appropriate determinate sentence.

The Queen's Bench Divisional Court so stated in a reserved judgment when granting an application by Donna Furber for judicial review of a decision by the Home Secretary on March 12, 1996 that the tariff period of her sentence was seven years.

The court made a declaration that had the Home Secretary directed himself in accordance with the law as now established by *R v Secretary of State for the Home Department, Ex parte Venables* [1997] 3 WLR 23, he could not properly have certified a period exceeding that which the applicant had already served in detention.

In December 1991, following a guilty plea at Manchester Crown Court (Judge Rhys Davies, QC) in manslaughter on the ground of diminished responsibility, the applicant aged 17 at the time of the conviction, was sentenced, by exercise of the judge's statutory discretion as a young person, to detention for life under section 53(2) of the 1933 Act for killing her great aunt.

The trial judge recommended

ten years to meet the requirements of retribution and deterrence. Lord Lane, Lord Chief Justice, recommended nine to ten years.

In 1994 the Home Secretary certified under paragraph 9 of Schedule 12 to the Criminal Justice Act 1991, because the case came under the transitional provisions of the Act, that section 34 of that Act should apply and that the relevant part of the sentence, the tariff period, was nine years.

The applicant complained that the tariff was excessive and the case was referred to Lord Taylor, then Lord Chief Justice, for reconsideration. In January 1996 he advised the Home Secretary that the tariff period be reduced to seven years and the home secretary accepted that advice.

Mr Edward Fitzgerald, QC and Miss Philippa Kaufmann for the applicant; Mr Hugo Keith for the Home Secretary.

LORD JUSTICE SIMON BROWN said that two central submissions were advanced.

First, it was said that on the facts of the case seven years was so manifestly excessive a tariff period for a young person that it should be held irrational.

Second, the question of the appropriate tariff was approached on an erroneous legal basis: in particular, the requirement, in being a section 53(2) case, that regard should be had to the applicant's welfare, as specified by section 44(1) of the 1933 Act, was not recognised.

What was involved in the fixing of a tariff under section 34 was

explained in *R v O'Connor* [1994] 15 Cr App R (S) 473, 475-6. As to the difference between half and two thirds to be specified, there was little help from the authorities: see *R v Vale* [1996] 1 Cr App R (S) 405, 409-410 and *Practice Direction (Crime: Life Sentences)* [1993] 1 WLR 223.

When certifying a period under paragraph 9 of the Home Secretary had to adopt an identical approach: he had to put himself in the position of the sentencing court and ask what period it would have fixed had section 34 been in force at the time of sentencing: see *R v Secretary of State for the Home Department, Ex parte McCartney* (The Times May 25, 1994). It was helpful to indicate the range of sentences found in reports of diminished responsibility manslaughter cases.

The precedents fell into two main categories: those in which determinate sentences were passed and those in which life sentences were imposed following the coming into force of the 1991 Act, tariff periods being specified publicly under section 34. His Lordship noted that no case in either category had been found with regard to a young person.

As to the first category, eight Court of Appeal decisions before the court indicated a range of three to eight years, with six in the six to eight year bracket. In the second category tariffs were in the six to eight year bracket.

Depending on whether those periods were intended to represent half or two thirds of the equivalent determinate sentence, a six year

tariff equated to a determinate sentence of ten to twelve years, and an eight year tariff to one of 12 to 16 years. One could not but recognise an apparent discordance between the two categories of case.

It was one thing for the court to recognise the possible anomalies in the approach to section 34 tariffs; another to conclude, as the applicant urged, that in those circumstances the court should pay more heed to the established range for determinate sentences than to the section 34 cases themselves.

Not was his Lordship persuaded that because *McCartney* enjoined the Home Secretary in paragraph 9 cases to put himself in the position of the sentencing court, which by definition would have passed sentence before any bracket for section 34 tariffs could be established, therefore he, and accordingly the present court, should ignore the Court of Appeal decisions in the section 34 cases.

On the facts of the case, Mr Fitzgerald submitted that even had the applicant been an adult, a seven year tariff, equivalent to a determinate sentence of 10 to 14 years, would not have been imposed for a young person he contended that it was manifestly excessive.

Youth was important in two respects. First, it lessened the extent of the offender's culpability. Second, however, it introduced a quite different dimension into the case: the requirement imposed by section 44(1) of the 1933 Act.

It was necessary to turn to *Ex parte Venables*, delivered on the first day of the present hearing,

which was a section 53(1) case but of undoubted importance too when it came to fixing tariffs for juveniles sentenced to detention for life under section 53(2).

The majority of the House of Lords had rejected the approach, advanced by the Home Secretary in the present case, that there was no authority for the proposition that the punitive period should be the minimum period possible or that the approach to juveniles should be different to that for adults.

That was clearly no longer a permissible view. Rather in the case of young persons, the court should set the minimum tariff so that the punitive period might begin their consideration of the case sooner rather than later.

What then should determine the minimum tariff? It was interesting to note the decision of the Court of Appeal in *R v Carr* [1996] 1 Cr App R (S) 191, another discretionary life sentence case under section 53(2) albeit one imposed for causing grievous bodily harm.

There, even before *Ex parte Venables*, the court took half rather than two thirds of the appropriate determinate sentence when arriving at the specified period under section 34. In his Lordship's judgment, following the House of Lords' decision, that generally now should be regarded as the correct approach on section 53(2) cases.

Mr Justice Owen agreed. Solicitors: Graysons, Sheffield; Treasury Solicitor.

Chief Adjudication Officer v Webber

Before Lord Justice Evans, Lord Justice Peter Gibson and Lord Justice Hobhouse
[Judgment July 1]

A person who embarked on a three-year course of study as a full-time student but in his second year continued the course as a part-time student was not excluded from entitlement to income support by virtue of being deemed not to be available for and actively seeking employment.

The Court of Appeal so ruled when unanimously dismissing an appeal by the Chief Adjudication Officer from a decision dated October 9, 1995 of Mr R. A. Sanders, Social Security Commissioner, upholding the Oxford Social Security Appeal Tribunal's decision in June 1994 allowing an appeal by Anthony Webber whose claim for income support was refused by the adjudication officer in December 1993.

Mr Rabinder Singh for the Chief Adjudication Officer; Mr Richard Drabble, QC, for the claimant.

LORD JUSTICE HOBHOUSE said that under the Social Security Regulations (SI 1987 No 1967) a claimant shall not be treated as available for employment if... he is a student during the period of study.

Under regulation 10 of the Income Support (General) Regulations (SI 1987 No 1967) "a claimant shall not be treated as available for employment if... he is a student during the period of study."

Regulation 10, which defines a "student", provides that a "person who has started on [a full-time course of study] shall be treated as attending it throughout any period of term or vacation within it until the last day of the course through which he is attending it or is dismissed from it."

The "last day of the course" was defined as "the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled."

The feature of the regulations which gave rise to the present problems was that the status of student depended on the categorisation of the course on which the student was enrolled. The definition of "course of study" required that it was a "full-time" course.

It was presupposed that it was possible at the outset to categorise the course as being either full-time or part-time and applied that categorisation to the whole of the period of study from the start of the course to the end of it.

That assumption did not accord with the practice of universities and other institutions of advanced education. Some of the courses offered included a large element of flexibility and might provide for the course to be partly full-time and partly part-time. The regulations did not on their face take account of such flexibility.

Furthermore, *Jelson* could be distinguished on that point, given that in that case the authority had abandoned its proposals three years before the relevant date.

Solicitors: Manby & Steward, Telford; Treasury Solicitor.

In September 1992 the claimant began a modular course in environmental biology at Oxford Brookes University. Attendance at the university was either full-time or part-time depending on the number of modules being taken by the student during any particular term.

In his first year the claimant had to obtain nine modules and then a further nine in each of the last two years. He failed two compulsory and one other module which he resat in his third term but did not pass.

At the end of the third term the university told him he could start only as a part-time student in his second year. He re-registered as a part-time student and applied for income support in October 1993.

Mr Drabble argued that where the course had a variable character it was necessary to determine the character of the course, namely, full-time or part-time, at each relevant stage, and during the academic year 1993-94 the claimant was not attending a full-time course.

On the other hand Mr Rabinder Singh submitted that the definition required that the course be categorised at its outset when the student enrolled, and once student status had been acquired it was deemed to continue through to the last day of the course unless at some earlier date the student had either abandoned the course or been dismissed.

His Lordship said that he preferred to accept Mr Rabinder Singh's overall approach to the construction of the definition in regulation 61 but to recognise that a course which did not require full-time attendance could not properly be described as a full-time course.

The course upon which the claimant enrolled was not a full-time course and he never was a "student" within the definition in regulation 61.

LORD JUSTICE PETER GIBSON said that for the third time in as many years the court was required to consider the definition of "student" in regulation 61.

The lack of unanimity in two earlier cases: *Chief Adjudication Officer v Clarke and Faul* [1995] ELR 259 and *Driver v Chief*

Johnson v Blackpool General Commissioners
Johnson and Another v Same

An appeal by Mr W. J. Johnson from the judgment of Mr Justice Robert Walker (The Times February 10, 1996; [1996] STC 277) that had upheld the imposition of two penalties of £2,000 each by Blackpool General Commissioners for failure to comply with precepts to inspect documents under regulation 10(1)(b) of the General Commissioners (Jurisdiction and Procedure) Regulations (SI 1994

No 182) was dismissed by the Court of Appeal on June 12.

LORD JUSTICE MORRITT, sitting with Lord Justice Stuart-Smith and Lord Justice Schiemann, said that there was no merit in the appeal from the decision of the judge holding that to comply with a precept to produce books, accounts and other documents for inspection by a tax inspector a taxpayer must make them available at a time that was reasonable, not at his home at one minute before midnight.

Solicitors: Solicitor, Department of Social Security; Mr Justin Phipps, Oxford.

Quashing certificate of appropriate development

Fletcher Estates (Halescott) Ltd v Secretary of State for the Environment and Another

Newell and Others v Secretary of State for the Environment and Another

Before Mr Justice Dyson
[Judgment June 10]

When determining an application to quash a certificate of appropriate development, the Secretary of State for the Environment had to take the date of the proposal to acquire as defined by section 22(2) of the Land Compensation Act 1961 as the relevant date for the purposes of considering the application of planning policies.

When determining such an application the secretary of state had to discount the effect of the underlying proposal to acquire before the actual proposal was made as defined in section 22(2), so that the proposal was treated as if it had never been conceived.

Mr Justice Dyson so held in the Queen's Bench Division in a reserved judgment when allowing applications under section 21 of the 1961 Act, by Fletcher Estates (Halescott) Ltd and Joseph Newell, Elsie Longmore and William Longmore, the executors of J. V. Longmore, to quash decisions of the secretary of state made, under section 18 of the Act, in a letter dated July 4, 1996 allowing appeals by the Secretary of State for Transport against certificates of appropriate development issued in respect of land at Sandome, Shrewsbury on October 19, 1992 and December 4, 1992 respectively.

Since 1970 there had been a by-product of the process of planning: certificates of appropriate development issued by the Secretary of State for Transport, the second respondent, made a proposal under section 22(2) of the 1961 Act for the compulsory purchase of the land. He entered on to the land in 1980.

In 1992 the applicants applied for certificates of appropriate development, under section 17 of the Act, as amended by section 47 of the Community Land Act 1975 and those were issued by the local authority in 1993. In 1996 the first respondent allowed the second respondent's appeals against the issue of the certificates, substituting negative certificates under section 17(4)(b) of the Act.

In making his decision, the first respondent adopted the date of entry in 1990 as the relevant date for the purposes of considering the application of current and reasonably foreseeable planning policies; and he took into account the effect of the proposal to acquire the land

before the date of the actual proposal to acquire in 1986.

Mr Robin Purchas, QC and Mr Rabinder Singh for the applicants; Mr Jeremy Sullivan and Mr Timothy Spenser for the first respondent; the second respondent did not appear and was not represented.

MR JUSTICE DYSON said that the case raised two questions of general importance.

The first was whether the first respondent was correct in adopting the date of entry as the relevant date for the purposes of considering the application of current and reasonably foreseeable planning policies. The applicants contended that the relevant date was in 1986, being the date of the proposal to acquire as defined by section 22(2)(a) of the 1961 Act, and indeed that was accepted as being the relevant date for the purposes of determining the physical state of the land: *Jelson Ltd v Ministry of Housing and Local Government* [1970] 1 QB 243.

Since the purpose of section 17 certificates was that they should aid the assessment of compensation, and that that occurred at the date of entry or the date of the hearing, whichever was the earlier, there was an argument for deeming the date of entry to be the relevant date, as held in *Robert Hutchins Builders Ltd v Secretary of State for the Environment* [1979] 37 P & C R 140 by Sir Douglas Frank, QC.

But in his Lordship's judgment it was part of the ratio of *Jelson* that the section 22(2) date was the relevant date at which all relevant facts were to be considered. There was no basis in the Act for there being one relevant date for determining the physical state of the land and another for considering the relevant planning policies, as both were relevant to the secretary of state's determination.

In his Lordship's judgment, Sir Douglas Frank had been wrong in *Hutchins* to seek to limit *Jelson* to its own facts.

The second question was whether the first respondent was correct in not discounting the effect of the proposal to acquire the land, which existed before the date of the actual proposal to acquire in 1986. The applicants had argued that the policies and facts at the relevant date should have been viewed as if the by-pass scheme had never been conceived at all, while the first respondent contended that they should have been viewed as if they had been conceived at the date of the hearing, whichever was the earlier, there was an argument for deeming the date of entry to be the relevant date, as held in *Robert Hutchins Builders Ltd v Secretary of State for the Environment* [1979] 37 P & C R 140 by Sir Douglas Frank, QC.

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Council can rely on statutory defence

Regina v Bow Street Magistrates' Court and Another, Ex parte McDonald (No 2)

Before Lord Justice Nourse, Lord Justice Henry and Lord Justice Swinton Thomas
[Judgment June 10]

A street musician was not entitled to damages for the seizure of his guitar and amplifying equipment by officers of Westminster City Council acting under the authority of a warrant that had been

wrongly issued by a justice of the peace under the provisions of the London Government Act 1963, as amended by section 42(2) of the Greater London Council (General Powers) Act 1984. The council was entitled to rely on the statutory defence to a tortious act provided by paragraph 12C of Schedule 12 to the Act.

The Court of Appeal so held in dismissing an appeal by the musician, Mr Bruno McDonald, from

the order of Mr Justice Keene on July 1, 1996, dismissing his claim against Westminster City Council for damages of £1,620.

Paragraph 12C of Schedule 12 to the 1963 Act provides: "A constable or any person appointed for the purpose by the council who enters any premises under the authority of a warrant granted under sub-paragraph (2) of paragraph 12 of this Schedule may seize and remove any apparatus or equipment or other thing whatsoever found on the premises..."

Mr Charles Salter for Mr McDonald; Mr Jeremy Sullivan, QC and Mr Timothy Spenser for the council; the magistrates' court did not appear and was not represented.

LORD JUSTICE HENRY said that Mr McDonald was a busker or street musician. In August 1993 he was performing in Leicester Square, Westminster City Council believed that activity to be unlawful because he had no music licence.

The council's belief was based on the assumption that Leicester Square was "premises" for the purposes of the 1963 Act. It obtained a warrant under paragraph 12(2) of Schedule 12 and in reliance on it its officers seized items of Mr McDonald's equipment.

Mr McDonald was advised that Leicester Square was not "premises" within the meaning of the Act and accordingly he had applied for judicial review to quash the warrant. He had failed before Mr Justice Dyson but had succeeded in the Court of Appeal (The Times March 27, 1996; [1996] 95 LGR 394). The warrant was quashed and the issue of damages remitted to a judge of the Queen's Bench Division.

The matter came before Mr Justice Keene who had held that the council could rely on the statutory defence in paragraph 12C.

The relevant requirements of paragraph 12C were first, that the officer should enter premises with the authority of a warrant, and second, that he might seize and remove apparatus and equipment

if he had reason to believe they might be liable to be forfeited under the Act.

Mr Salter's case, relying on dicta of Lord Justice Diplock in *Dallington v Caffery* [1965] 1 QB 348, 371, was that as Leicester Square was not premises and as the reasonable man was assumed to know the law, the officer could not reasonably have believed that Mr McDonald had committed an offence, as he required no licence.

The judge had rejected that submission, approaching the matter as one of statutory construction. He pointed out that it would be asking too much of any officer to have appreciated that the magistrate had erred and he was entitled to assume that the warrant had been properly issued.

The judge was correct. The council's officer had entered under the authority of a warrant. That warrant was effective until executed, withdrawn or set aside. He could rely on the authority of that warrant because its issue was a judicial decision and as such effective unless and until spent or set aside by a superior court.

Lord Justice Diplock's dicta were obiter: indeed his reference to *Herniman v Smith* [1953] AC 303 showed that he did not regard himself as charging the law in relation to reasonable cause to believe. Further, the textbooks did not suggest that the defence had been narrowed by Lord Justice Diplock.

The editors of *Clerk & Lindsell on Torts* (17th edition (1989) paragraph 15.30 p755) rightly questioned the proposition that no prosecutor could be made liable simply on the ground that he was mistaken as to the law: all had to depend on the mistake.

They concluded: "It is not evidence, however, of absence of reasonable and probable cause that a mistake had been made on a difficult and doubtful question of law." That proposition was both entirely right and applicable.

Lord Justice Nourse and Lord Justice Swinton Thomas agreed. Solicitors: Wilson Barra; Mr Colin Wilson, Westminster.

Rateable abatement

Merrygold v Horton

Where successive liquidators of a company in voluntary liquidation had a claim for their expenses and the available assets were insufficient to pay each liquidator's remuneration in full, both their respective claims should abate rateably.

Mr James Munby, QC, sitting as a deputy High Court judge so held on June 2 in his judgment in the Chancery Division in an action between two successive liquidators of Salter's Hall School Ltd, David Merrygold and John A. Horton.

His Lordship said a properly de-

duced his remuneration under rule 4.138(1) of the Insolvency Rules (SI 1986 No 1902) was not entitled by virtue of that rule to retain that remuneration in full if it subsequently emerged that there were insufficient assets to pay other expenses of the liquidation ranking no lower in the order of priority specified in rule 4.218(1) than his own remuneration, such as the remuneration of a liquidator who succeeded him.

If in such circumstances a liquidator sought to retain what he had deducted, it was for him to make out, if he could, a claim for relief under section 156 of the Insolvency Act 1986.

Lord Justice Nourse and Lord Justice Swinton Thomas agreed. Solicitors: Wilson Barra; Mr Colin Wilson, Westminster.

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EDUCATION

Back from the future

Nicolette Jones
attends a
school reunion
and finds
that though
times change,
people do not

When Anne Bechar (née Berwein) set out to find the 30 or so women

myself included — who were at Leeds Girls' High School with her until 1977, she was, she admits, partly motivated by wanting to tell the good news.

"I wasn't very academic at school, and I felt I was a nobody," she says. "Now I have lived for two years in Paris and eight years in Israel. I have a family and I run a cheese-producing business that supplies big supermarkets. I feel that I am somebody."

Anne's detective work, and that of our school tennis champion, Rosemary Fenton, resulted in the tracking-down of all but a dozen of our erstwhile cronies. So we were summoned, reeling from the realisation that we had been old girls for 20 years, and 44 of us agreed to show up for a lunch. Another 20 sent news, goodwill and apologies.

So, armed with natty hair-styles and new outfits, wondering whether we would recognise each other, we congregated in a dining hall that made us think of cabbage and spotted dick. By the end of lunch, but for the wine and the absence of pink custard on the pudding, it could have been 20 years ago like a bad episode of *Dallas* in which everything that had happened since was a dream.

It was not simply that in our own eyes we were unchanged, or that the pretty girls were still pretty and the funny ones still funny. It was that we had changed.

Everyone quickly fell into the roles of two decades ago. Bryony, our head girl, who went on to work with Pakistani refugees and is now a GP in Whitby, asked kind questions of our sixth-form-guide on the post-lunch school tour with exactly the grace towards younger girls that made her popular then. Anne was amiably berated by her friend Ruth for talking down to her, exactly as she had done at school. I showed off.

By the time a group photograph was taken, the photographer found it hard to impose order. Women who, I am sure, are otherwise polite and amenable were suddenly giggly, joshing, mischievous. We had become 14-year-olds in 37-year-old bodies.

The school, whose authori-



Top: the way we were, and below, seemingly composed, but reeling from the realisation that we've been old girls for 20 years

ties had arranged a tour of the new buildings, found us uncooperative. We did not want to see the new language labs and the new music block. Anne and Heather Sugden wanted to see the toilets: they had flooded by turning all the taps on. Others wanted to see the desks they had carved names on. We wanted to meet the ghosts of our childhood selves.

Alison Kerry, a mother of two, stood on the balcony where she had been an infant angel in a halo. We all walked the corridors we had regularly raced down and dawdled in, and remembered.

We were amazed, though, at the well-stocked careers room. In our day, careers advice was a teacher who mostly promot-

ed nursing and secretarial work. We had defied her limited imagination. Among us were doctors, lawyers, accountants, midwives, pharmacists and lab technicians. Alison had gone on to play hockey for Britain in the Seoul Olympics.

Diane, who was enough of a rebel at school to break the rules about wearing make-up, is now a beautician.

The school, now independent, was once a direct grant school. It took a percentage of local children who had passed their 11-plus and paid no fees. Among them, Mandy, now a school governor, is a personnel officer in the education department of Leeds City Council. Elaine Holmes runs

a travel agency. And I became a journalist.

Heien, who became a solicitor and went on to marry a Conservative MP, took the prize for having the largest family in the group: four children. Most of us have two. Half a dozen are unmarried, as many divorced and as many childless, at least one by choice. Several have taken degrees as mature students.

We had our share of griefs — divorces and bereavements, for instance — but the great thing was, it didn't show. It was clear we were all more sure of ourselves than at 16 or 18. And we were old enough to realise that there is something special about friends who have known you for a long time.

Joan Clanchy reflects on how schools have changed

Blackboard yesterday, business plan today



Clanchy: retiring, and yes, a few regrets

Retiring can feel a bit like falling off a cliff — and one disturbing feature is that your failures keep flashing before you. I was reared as a Scottish Presbyterian during wartime rationing: I do not believe in lavish spending, yet, try as I might to prevent it, costs during my time as head have risen relentlessly. Every pressure was surely there to tempt me to keep fees down, parents made it clear they did not want to pay more. Yet through wage freezes and two recessions, fees have climbed steadily. It has been the same throughout the independent sector. A year's boarding school fees used to cost the equivalent of a Mini, now they are equal to about two Ford Fiastas. Curiously, the market has pushed costs up, not down. When the choice has been between a good school and a cheap school, we, like others, have chosen to be a good school.

The chairman of governors annually seeks to explain "this year's increases". Technology is often cited. In 1975 this school had 800 students, two telephone lines and one full-time and one part-time secretary. The typewriters were vintage and the secretary used to dry out the carbon paper overnight for re-use the next day. There was no photocopier. It would not do today; we would be marked down on quality of printed material. The little AS prospectus of 1975, with no pictures, would not do, either. The school office, with twice the staff, is twice as busy: the appetite for the information it can give is insatiable. Our seven phone lines and 50 internal phones are often inadequate.

What has happened in the office has happened throughout the school. Students will take home reports this term with about a thou-

sand words on them. In 1975 they had about 50 words, of the "satisfactory" variety. Old textbooks covered in brown paper are a memory; instead students have files full of notes and worksheets and handouts, without which they could not face an exam — and being examined is a constant activity. Even the advertisements that schools place in order to recruit staff have become absurdly expensive: placing a small advertisement looks cheap, so one has to show seriousness by placing a big box ad.

Class size is the big issue, of course, and everyone knows it. Try ensuring good "interactive whole-class teaching" with 30 teenagers, remembering that you want an oral response from each of them during the 37 minutes the period will last. Try taking their 30 essays home to mark and giving each one a fair ten minutes of attention. Try doing that for more than 30 periods in the week — and still sparkle with energy and authority on

Friday. Television-reared teenagers demand high-intensity performance from teachers. There is no point in apportioning blame for this: it just is so. They will not put up with the note-dictating tedium that went on in classrooms when I started teaching in the 1960s.

And then there is me, as head teacher. I am surely not as cost-effective as I was. I used to teach at least 12 lessons a week, now I manage a wimpy four — partly because of getting older but largely because the "management" part of the job has grown. I spend more time in meetings, more time reading the morning mail (with consultants urging me to buy their 101 management tips or to attend expensive courses) and more time on public relations than I did 20 years ago. There are more promoted people to help me, and I need them. But they cost more.

My grandmother used to say that "money does not buy happiness but it makes unhappiness a lot easier to bear". In the case of schools, money does not guarantee success but it certainly helps to avoid failure. An austere, blackboard-and-chalk school would not have competed in the independent schools market of the 1980s: if people were going to pay for education, they wanted it to be very good. My regret is the spending gap that exists between us and the mainstream sector.

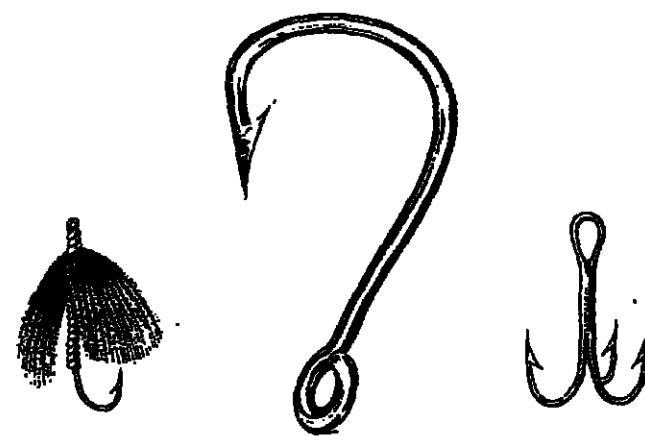
In 1975 we were spending about the same per head: now my school spends £5,000 where the neighbouring comprehensive spends about £2,100.

Gordon Brown has given a little, but he, too, will have to overcome his Scottishness, and spend a lot more. The author is headmistress of North London Collegiate School.

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Helen Penn on what Labour can learn from the failure of nursery vouchers

Without rhyme or reason

The nursery voucher scheme has been promptly dismantled by the new Government — except in Scotland, where a decision has yet to be taken. Are there any lessons to be learnt from this sorry exercise?

The vouchers were awarded to parents of four-year-olds to spend on part-time nursery education. They could be used in any registered setting providing an educational curriculum, that satisfied Ofsted requirements, be it nursery class, playgroup or private nursery. The scheme aimed to increase parental choice and stimulate growth of services.

It failed on both counts. It did not increase parental choice because there is, overall, a scarcity of provision, nor did it stimulate the private market, mainly because such providers are responding as much to the demand for all-day childcare as for part-time nursery education and, thus, the vouchers met only a part of the costs and were often not worth the effort of administration. In the event, it was local education for four-year-olds in schools, often without due consideration of whether school was a suitable place for them.

The Department for Education and Employment has now issued a circular explaining how the scheme is to be dismantled. A subsequent consultative paper fleshes out some of the ideas contained in the Labour Party policy document *Early Excellence*, such as "development plans" and "early years forums". But *Early Excellence* emphasised the need to review early years policy coherently, and "to bring together education and care... Services will be geared to meet the particular needs of the child and the parent — offering not only education and care, but family support, nurturing, adult education and parenting skills courses". Policy implementation cannot, of course, be revised overnight but, unfortunately, the DfEE has not yet



included care in its considerations, and the circular is premised on the same inadequate assumption as the voucher scheme: that the desirable model of expansion is part-time nursery education for four-year-olds.

By now the evidence must show that the voucher scheme, if nothing else, exposed the fragmentation and inadequacy of provision. Many studies of parents' use of nurseries, including the National Children's Bureau research on the voucher scheme, have revealed the daily confusion and juggling working parents face in trying to make arrangements for their young children. As one mother says: "What can you do in two and a half hours? You can't go out to work, you can't even find a part-time job to cover those hours."

Under the Welfare to Work programme, the Government is trying to persuade mothers, particularly those on benefits, to return to work. But the very system that might enable them to do so, an integrated care and education system,

as envisioned in *Early Excellence*, is not being promoted. Indeed, there seems to be some doubt about who is actually responsible for developing childcare facilities. While the DfEE claims that it now falls within its remit, it has yet to convince childcare lobbies and social service representatives that it fully comprehends the issues involved in adopting a childcare perspective as well as an education one. And where will the 50,000 new childcare assistants mentioned in the Budget be slotted in? Hiring people straight off the dole queue to work with young children seems an unlikely way to guarantee the high standards demanded by ministers.

Most provision is still in the private and voluntary sector, and parents must pay the market price. The provision is regulated by social service departments under the terms of the Children Act. The regulations focus on health and safety, and require high staff-child ratios. These requirements put up labour costs, usually about 80 per cent of the total. In private nurseries, only middle and upper-income parents can afford the fees. Unlike state nursery education, which must employ qualified teachers, the private and voluntary sector relies mainly on low-paid staff, many of whom are unqualified. The voucher scheme, in linking vouchers to Ofsted inspections, rather than to social service inspections, at least insisted on the importance of educational outcomes. The evidence suggests that these inspections were often seen as helpful by the providers, although many may struggle with the educational requirements for them.

Despite all the fuss, the vouchers made no real difference, and their abolition is unlikely to make much difference. The Government must commit itself to new thinking, and more new money.

Dr Penn is Senior Research Fellow at the Social Science Research Unit, Institute of Education, London University.

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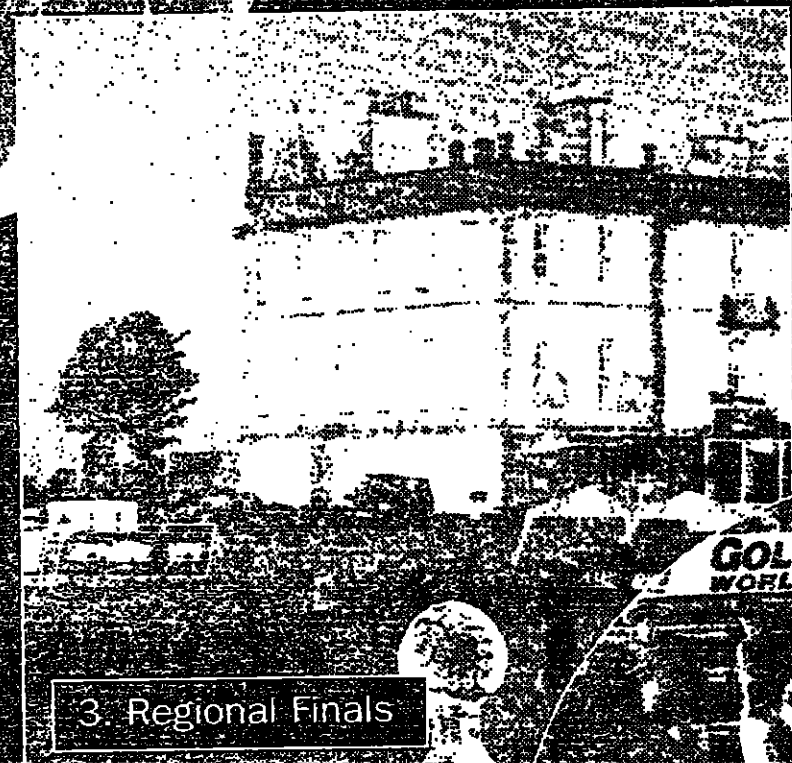


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RACING: TOLLER AND SANDERS ENJOY FIRST GROUP ONE SUCCESS WITH RANK OUTSIDER IN JULY CUP

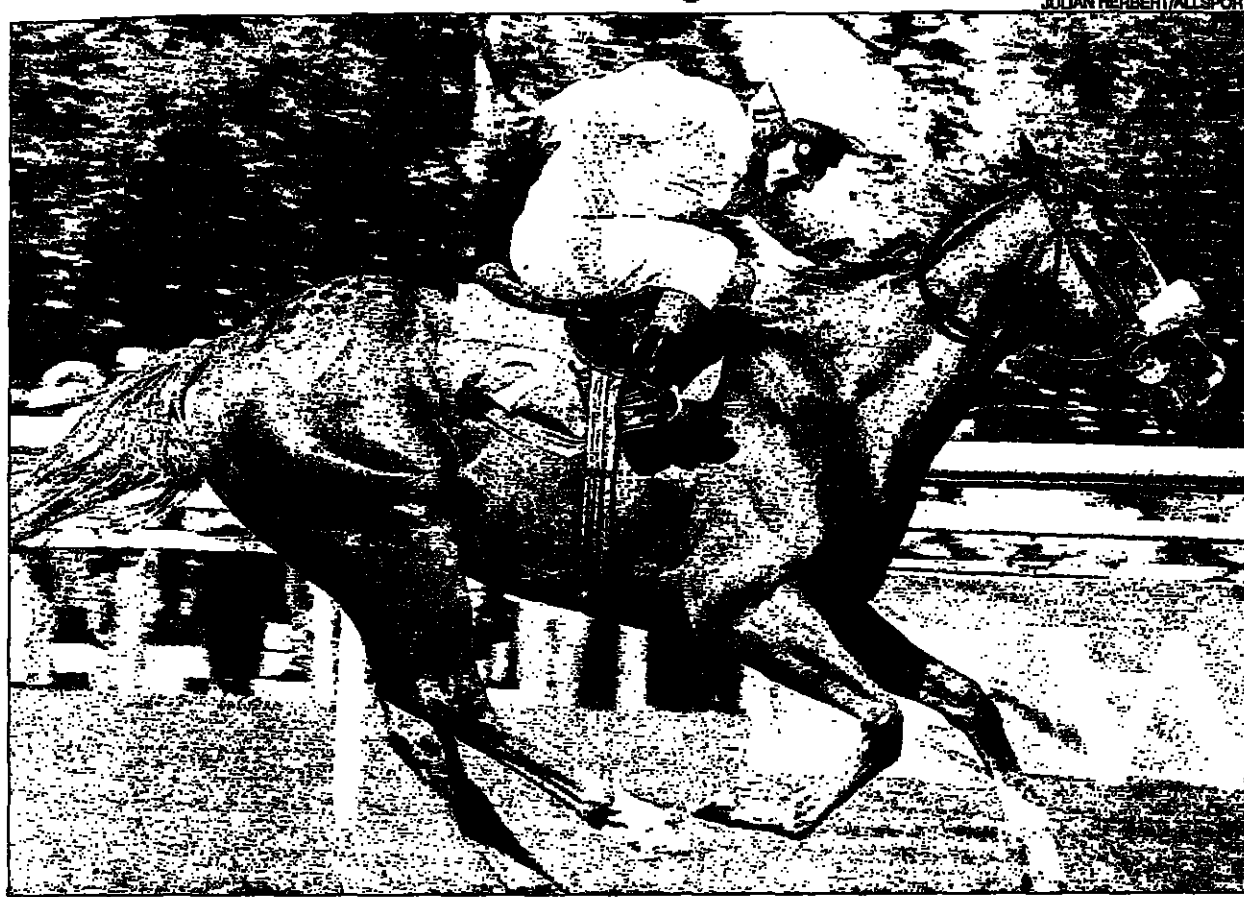
Punters outfoxed by Compton Place

By Chris McGrath

BARRY HILLS, trainer of the hot favourite for yesterday's Darley July Cup at Newmarket, has been urging the racing world that its interests are intimately entwined with those of the throng assembled in Hyde Park after Royal Ascot. Compton Place, punters could see the link quite clearly. Betting, it seems, can be the grist of blood sports.

Hills had sent two coachloads of his staff to London, and attended the Countryside Rally himself before taking a helicopter to the climax of the July meeting, Royal Ascot, where he had earned 11-0 favouritism with an authoritative success in the Cork and Orrery Stakes at Royal Ascot. Compton Place, by contrast, had finished twelfth in the King's Stand Stakes at the same meeting. But it was Hills who drew a blank, and James Toller who earned his group one blood.

Seb Sanders, likewise enjoying his finest hour to date, broke cover when leading on the far side of a furlong and a half out, and the chasing pack was never able to wear him down. It was the biggest shock



Sanders drives Compton Place clear to spring a 50-1 surprise in the Darley July Cup at Newmarket yesterday

in the race's 121-year history but the icy incredulity of most punters was thawed by their warm acknowledgement of a rare blow for one of Flat racing's smaller yards.

A recent exile from Newmarket — he is now a neighbour to David Elsworth in

Wiltshire — Toller's answer to the millions of the oil shekels is the loyal patronage of the Duke of Devonshire. The duke was at home, under doctor's orders, but will have felt a lot better once his game Indian Ridge colt had come under those of the starter.

"It wasn't a fluke. I always gave him a good chance of getting in the money," Toller insisted. "He only just got caught in the Gimcrack last year and everyone kept telling us how this year's sprinters were not a good bunch. Royal Ascot was the

first time he has ever run disappointing, and it was also the first time that he ran on soft ground. Hindsight would suggest that to be the explanation, though Seb got him beautifully settled today, and that also made a big difference."

The bookmakers also enjoyed a reprieve in the meeting's big betting handicap, the Ladbroke Bumbury Cup, where Crown Court was backed from 6-1 to 7-2 favouritism. Ironically, the winner was Tumbleweed Ridge, an animal with whose quirks punters have become steadily more disenchanted. But Brian Meehan, his gifted young trainer, never lost faith. "He has had a lot of bad luck, and has taken a long time to get his confidence back," he said. "In the Wokingham at Ascot last time, he was last a furlong out and finished thirteenth (of 20), and he is better over this trip."

Tumbleweed Ridge's change of fortune was deservedly shared by Michael Tebbutt, who had spent nine weeks on the sidelines after cracking a vertebra in a gallops fall in April. "I was giving this horse a stalls test when he stumbled and catapulted me over his head," Tebbutt said. "I don't know whether I was then kicked, or whether it was the impact of landing." Backers of Royal Ascot will know the feeling.

Tebbutt's recuperation required him to do a lot of walking in water. The meeting's final word goes — as it must — to a man now walking on it. Kieren Fallon, who gave Balcic State an indomitable ride in the Weatherbys Superlative Stakes. It was Fallon's sixth winner of the meeting for Henry Cecil, and the perfect way to stop the bounding.

Rely on That Man Again

NEWMARKET CHANNEL 4

2.10: In a race with limited betting appeal, That Man Again deserves a victory after being runner-up behind Squire Corrie at Ayr (now 8th better off) and My Best Valentine at Sandown. Twice As Sharp, a winner over course and distance two months ago, and Squire Corrie are the main dangers.

2.40: Heart Of Gold is progressing well and, after winning at Redcar and Ripon, put up an even better effort at Newcastle when just piped by Kilma. A case can be made out for Present Arms and Hen Harrier, but the best handicapped horse in the race is Dream Of Nurmi. At Newcastle in May he was an excellent second to Memorise, who won a hot



TODAY'S RACES ON TELEVISION

handicap at Newmarket on Wednesday, before finishing a good third to Jaunty Jack at Ascot. He has been in trouble in running. With the useful Royston, French claiming 5lb and today's step up in trip likely to suit, he must go close.

3.10: Bollin Joanne takes a step up in class after running well in big handicaps and she is not out of contention

judged on her victory here two months ago, followed up by a good third in the Wokingham. However, I fancy the chances of Nightbird, who showed bags of speed when beating Elegant Warning comfortably at Newmarket in May. Despite a poor draw she led until the final furlong in the Jersey Stakes and will be suited by the return to six furlongs.

3.40: Duraid quickened well to win at Newcastle last time, but he may struggle off an 8lb higher mark. Arterveux, Sandmor Chambay and the in-form Jo Mell all like to race prominently and given the likely fast pace this race could suit a hold-up horse like Pride Of Pindale, for whom Kieren Fallon is an eye-catching booking.

RICHARD EVANS

YESTERDAY'S RESULTS

Newmarket

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FOOTBALL: WAYWARD ARSENAL STRIKER NETS HEAVY PENALTY

Wright is fined £15,000 as FA lays down the law

By OUR SPORTS STAFF

IAN WRIGHT, the Arsenal striker, was yesterday fined £15,000 by the Football Association, one of the largest financial penalties imposed on a player for misconduct on the pitch. The FA decided on the fine, rather than another lengthy ban for the England international, after a hearing at a Hertfordshire hotel.

Wright, 33, was accompanied by his manager, Arsène Wenger, at the FA Commission disciplinary meeting, where he was answering charges relating to incidents during Arsenal matches at home to Blackburn Rovers on April 19 and away to Coventry City two days later.

They centred on remarks made by Wright to the referee on the first occasion and gestures to the crowd on the second.

David Davies, the FA director of public affairs, said: "The Commission made it absolutely clear to Ian Wright that he could expect no sympathy whatsoever if he appeared before them again in similar and proven circumstances. The severest of penalties that would remove him from the game for a very long time would be inevitable."

Wright had earlier been in buoyant mood in the bright Hertfordshire sunshine as Arsenal's polyglot new squad gathered and spoke optimistically about the coming season. There were Dutchmen, there were Frenchmen, Wright, his skilful ruthlessness, gold rings in his ears, said he was delighted to see them all. After all, Wenger had "usually said to me that your place will be there for as long as you're fit enough to claim it, and you can't be fairer than that".

There seems to be something of a mutual admiration

society already burgeoning between Wright and one of the two new French signings from AS Monaco, Emmanuel Petit. 26, Petit said that Wright's presence was one of the things that attracted him to Highbury. The other, of course, which drew both him and his Monaco team-mate, Gille Grissin, is the presence of Wenger himself, who coached them from their early days with the French club.

Petit still seems slightly embarrassed by the confusion over his signing for Arsenal. He arrived at White Hart

Lane to talk to Tottenham Hotspur, asked if they could let him have some English currency and when they obliged he took a taxi to Highbury, where he signed for Tottenham's great rivals. "Je suis désolé," he said. "I didn't know about the rivalry between them."

Wright said that Petit had already greatly impressed him in training. "What I've seen of Manny, he's a real top-class player: got a lovely left foot. I really look forward to playing with him." It was a sentiment he repeated about Marc Overmars, the £7.5 million newcomer from Holland.

Patrick Vieira, a Frenchman who has already been with Arsenal for nearly a year, said he was delighted that Petit and Grissin had arrived, not only because they were French but because they were excellent players who would give him support and strength in the side. Language is no problem. Several of the juniors communicate in Italian: the foreign players in the first-team squad almost all speak English.

The two Dutchmen, Dennis Bergkamp and Overmars, talked jointly to the media. Overmars, that swift winger who undid England at Wembley in a World Cup qualifying match, said he had been thinking of leaving Ajax for the past eight months.

Bergkamp was surprisingly outspoken about the transfer to Middlesbrough of Paul Merson this week. "He was one of the players who could decide a game. He's got a lot of skill, got a great right foot. Sometimes decisions are made and I don't know by who."

Bergkamp also looked back philosophically over the two unhappy years he had spent with Internazionale in Milan. "Sometimes it doesn't go your way. You get stronger by that. And that was two fairly good years for me from a learning point of view."

"It's always nice to join a club with a lot of ambition. I felt in Italy they weren't on the same line as I was. I was playing football, attacking football and they weren't one week, they were one week."



Wright, left, in happier mood with Perera, his new Arsenal team-mate, before the fine was announced

Ginola takes Spanish option

By DAVID MADDOCK

IT HAS not been a successful summer for Alan Sugar, the Tottenham Hotspur chairman. Juninho and Danny Murphy have already resisted his advances and now David Ginola, the Newcastle United and France winger, has followed suit by declining a move to White Hart Lane.

It was not for want of trying on Sugar's part. He flew Ginola at great expense for talks, but the Frenchman has decided that his future lies abroad. The player's agent, indicated yesterday that he will be moving to Spain, where four teams are vying for Ginola's signature: Real Madrid, Atlético Madrid, Real Zaragoza and Valencia.

Another of those who got

away from Tottenham — Juninho — completed his move to Atlético Madrid yesterday, when he signed a five-year contract worth in excess of £7 million.

Liverpool also encountered problems yesterday when a medical check on Murphy revealed knee problems. The deal is likely still to go ahead with a re-negotiation of the transfer fee to Crewe Alexandra, which was originally set at £1.5 million, with £500,000 to be paid in stages.

Liverpool also have yet to complete the transfer of Paul Ince from Internazionale. The England midfielder player is still in talks with his Italian club over monies he believes he is owed and the deal is not

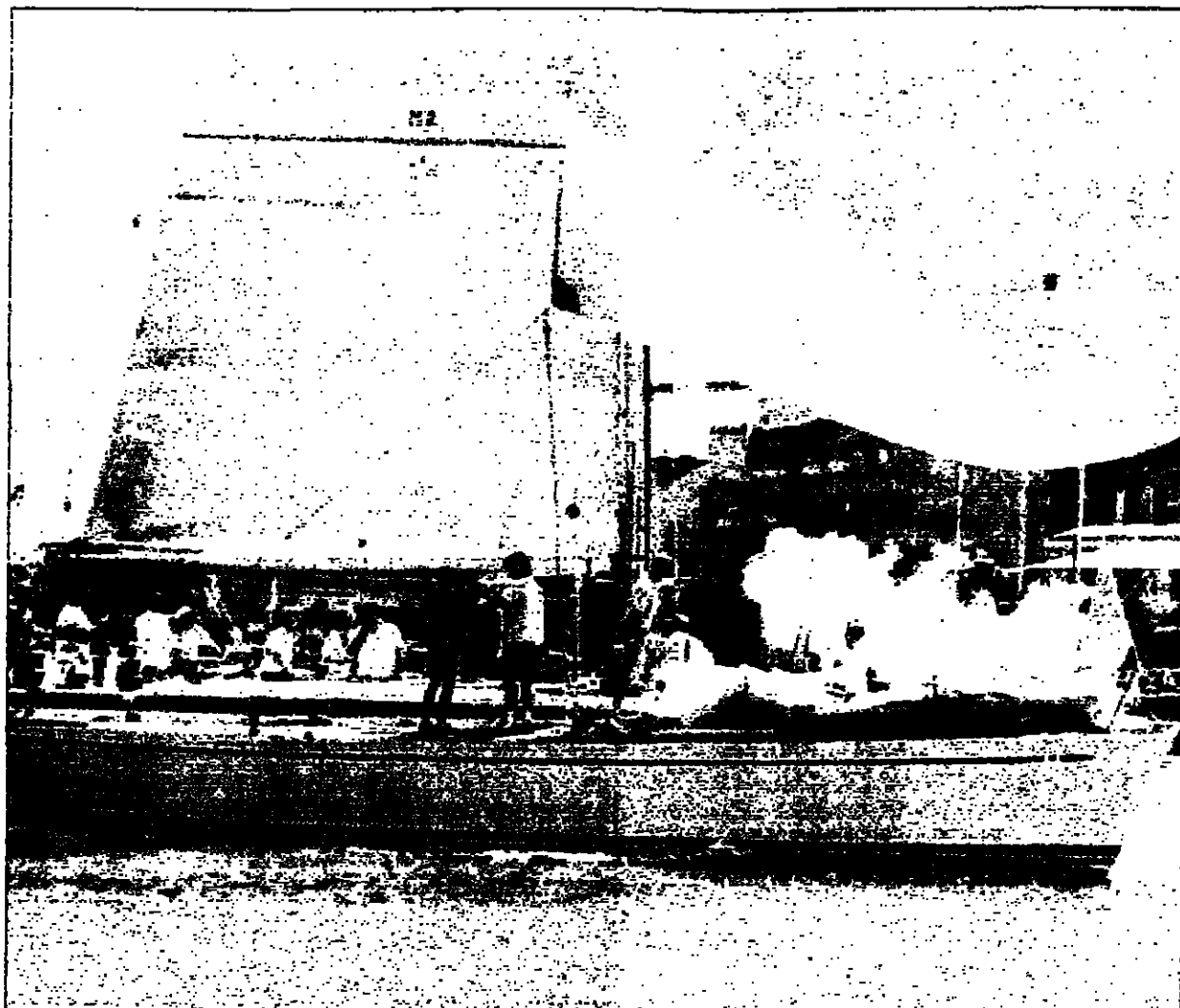
expected to be completed until early next week.

Plenty of transfers did go through yesterday, however. Paul Warhurst will move from Blackburn Rovers to Crystal Palace for £1.5 million and Bolton Wanderers have signed the Iceland international, Arnar Gunnlaugsson, for £100,000 from Akranes.

However, the proposed move of Peter Ndlovu from Coventry City to Birmingham City has fallen through, because he failed a medical on his injured knee. Birmingham have turned their attentions to Ole Martin Arst, a Norwegian who will sign at the weekend from Tromsø for £2 million.

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Assuage proves her racing pedigree



Assuage crosses the line in front of the Royal Yacht Squadron in Cowes in the final race in the regatta yesterday

Robinson wraps up Swan series

By EDWARD GORMAN SAILING CORRESPONDENT

TERRY ROBINSON, the Commodore of the Royal Ocean Racing Club, yesterday sealed an impressive win in the Rolex Swan European Regatta at Cowes. Lying third overnight in his one-year-old Swan 48, Assuage, he finished second in the fifth and final race yesterday, which was just enough to secure a series win.

Assuage had looked fast throughout the regatta and yesterday she sailed another consistent race, again in a light easterly breeze under blue skies in the eastern Solent. Early on, she managed to get ahead of Kees-Jan Baartman's *Splendid*, which is a full 20ft longer than Robinson's boat, but despite

Splendid's extra length, Robinson's crew held the lead on two very long downwind legs to beat her by a boat length on the water and by 20 minutes on corrected time.

Assuage's second place in the race overall gave her a total of 18 points for the series. Second overall was the Cowes-based Swan 44, *Flamboyant*, owned by Chris Jago, with the 40-footer, *Jacobi*, owned by Stephen James, in third place. Irvine Laidlaw's *Highland Fling*, which took line honours in every race, finished fifth overall after finishing twelfth on corrected time yesterday.

Robinson was satisfied with his week's work, which follows a tenth place in the Swan world championships last year, when Assuage was

brand new. "We've had a fine regatta," he said. "She's quick anyway, though we have not necessarily sailed her to her best. She is a totally different configuration to our last Swan and it has taken us some time to understand the changes."

While some boats boasted one or two "rock stars" — elite sailors — among their crews, Assuage had no big names on board. However, Robinson's crew, led by the 31/24 sailor, Andrew McLellan, on the wheel and Chris Hamel on tactics, have sailed together for several years and this was evident in their fluent teamwork.

The Swans sail to the class's own handicap system, the Nautic's Swan Rating, which seems to have equalised the 22

models on show in the 51-strong fleet effectively and without serious dispute. Of the first 15 boats overall for the championship, no less than 14 were different models.

One of the best performers was one of the oldest and prettiest boats in the fleet, the Swan 36, *Shayana*, built in 1968 and owned by John McIntyre. She finished sixth, just two points behind Laidlaw's state-of-the-art 60-footer, which was built in 1994 specifically for racing.

In the last leg of the BT Global Challenge, the crews continue to experience frustrating conditions as they make their way slowly across the Atlantic. The fleet leader yesterday was *Group 4*, with *Toshiba Wave Warrior* second and *Concert* third.

WOLVERHAMPTON

THUNDERER
2.20 Falls O'Moness, 2.50 Bon Guest, 3.20 Heartyards Lacy, 3.50 Sweet Contralto, 4.20 Esposito, 4.50 Opening Range.

GOING: STANDARD
DRAW: NO ADVANTAGE

2.20 STARBURCK MAIDEN STAKES

(3-Y-O; £2,277; 6) (7 runners)
1. 6530 BOLD SPRING 8 R Hanon 8-0
2. 6535 CANTON ROCK 20 (R) Dwyer 9-0
3. 6536 CASTLE ASHBY JACK 14 (R) F. Hanon 7-0
4. 6537 HESBERT 14 R Cambridge 5-0
5. 6538 BROADWAY MELODY 22 A Jarvis 6-0
6. 6539 FALLS CHIMNEY 25 (R) C. Hanon 6-0
7. 6540 ROCKY HUFF STUFF 18 R Liddesdale 8-0
8. 6541 CASTLE ASHBY JACK 14 (R) F. Hanon 7-0
9. 6542 FALLS CHIMNEY 25 (R) C. Hanon 6-0
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GOLF

Delighted Jones is back in full swing

By a Correspondent

IT SEEMED entirely appropriate in the second round of the Gulfstream Loch Lomond World Invitational yesterday that a player who views himself as a "streaky" golfer should move into contention just as bands of lightning flashed across foreboding Scottish skies.

Sieve Jones, who won the US Open at Oakland Hills last year, found the sanctuary of the locker-room before the delay in play that lasted nearly three hours. A round of 65 gave him a total of 134 — eight under par — and the lead in the clubhouse.

Still on the course, in name if not in person, was Tom Lehman, the Open champion. He was ahead on the leaderboard at ten under par when play was suspended and a buggy took him splashing away from the 12th tee.

Joakim Haeggman, of Sweden, one of the joint first-round leaders, was nine under

Scores 47

par with four holes left to play, while Paul Curry, of England, the other first-round leader, was tied with Jones at eight-under-par with two holes to complete.

For Jones, the upturn in form was as surprising as it was welcome. His game had taken a downward turn since his victory by 11 shots at the Phoenix Open in January. A problem with his swing led to him missing cuts at several tournaments, including three consecutively at the Players' Championship, the Masters and the MCI Heritage Classic.

A chance remark from a coach on the US Tour provided the answer and since his 69 in the third round of the US Open at the Congressional Club three weeks ago, Jones has felt comfortable on the course again.

"It was just a small adjustment, but sometimes that's all it takes," he said. "I had been finding it was affecting my whole game, right down to my putting, as my eye-line, my shoulder turn, everything, had gone just out of synch."

Jones had five birdies and

an eagle three at the 505-yard 3rd on his way to the upper echelons of the leaderboard. His only problem came at the 415-yard 15th, where his tee-shot kicked right into sand. A bogey five was the result.

He might have been expansive about his swing problems, but Jones remained coy about his present reading material, especially since earlier he had spoken of how a book about Ben Hogan had inspired him before he won the US Open. "I am reading a book just now, but you'll have to wait until I win something until I tell you what it is," he said.

Greg Norman moved into the wing mirrors of the leaders with five birdies and two bogeys in his 68. That made him six under par for the tournament, alongside Stephen Field, of Barnsley, who also had a 68.

One reason Norman is playing the week before an Open for the first time in recent memory is Loch Lomond's close proximity to Troon, enabling him to stay in the same house for two weeks.

Comments about slow play made by Colin Montgomerie on Wednesday prompted Mike Stewart, the tournament director, to visit the media centre yesterday to explain the European Tour's position. Although his visit was arranged for 10.30am, Stewart eventually arrived at 11.15am, prompting ironic calls from him to be fined for missing his tee-time. Stewart said that the guidelines for pace of play were laid down by the Tour Committee, of which Montgomerie is a member, and that tournament officials were merely carrying out those regulations laid down by the players.

Severiano Ballesteros was a predictable early departure from the tournament after a second successive round of 79 gave him a 16-over-par aggregate score of 158. Also departing early was Paul Affleck, of Wales, who disqualified himself for teeing off on the last hole after play had been suspended. Affleck was four over par and heading out of the tournament anyway.

RUGBY LEAGUE

Wolves hungry for players

By a Correspondent

WARRINGTON Wolves, who are too close to the Super League relegation zone for comfort, have failed in their attempt to bolster their squad by luring Allan Bateman, their former centre and a recent rugby union British Lion, back for two months. Warrington face Leeds Rhinos, the second-placed club, at Wilderspool tonight, before flying to Australia for the second round of matches in the Super League Visa world club championship.

Warrington have had more than their share of injury problems this season, which prompted an inquiry to Richmond, Bateman's rugby union club, about the possibility of him helping them out, but the request was denied and Darryl van de Velde, the Warrington coach, has been forced to try elsewhere in the Super League to recruit players for the trip to Australia.

Paul Hulme and Jon Roper are the latest additions to the Warrington injury list. Hulme

needs a knee operation, which will probably keep him out for the rest of the season; Roper is suffering from an ankle injury. To add to Warrington's woes, neither Gary Chambers nor Richie Eyres can go to Australia as their wives are expecting babies. Paul Cullen, the veteran forward, who needs knee reconstruction surgery, has retired.



Bateman: no reunion

The Warrington players that do make it to the field of play tonight will face Iestyn Harris, their former teammate, at stand-off half. Harris will be making his first appearance at Wilderspool since transferring to Leeds.

Van de Velde was about to take up the coaching job at Warrington when the deal was done and admits that he would have moved heaven and earth to try to keep Harris at the club if he had arrived earlier.

There are other vital encounters in the Super League this evening. Castleford Tigers, the bottom club, face Oldham Bears, who are one point above them, at Wheldon Road. The Bears will be without Vince Fawcett, their centre, who has had a recurrence of a hamstring injury. Salford Reds go to Oldham hoping to become the first side to beat Bradford Bulls in the league and will have Paul Forber back in their squad after a one-match ban.

Ferrari's destiny in the safest of hands

ROB HUGHES



There can be, at any one time in any sport or any company, only one person who knows that he or she is best. Around Silverstone this week, Michael Schumacher gives off that essence: it is there in the way that he walks, in the manner in which he talks, in the absolute glow of a competitive man who, no matter where you come across him or who is with him at the time, stands apart.

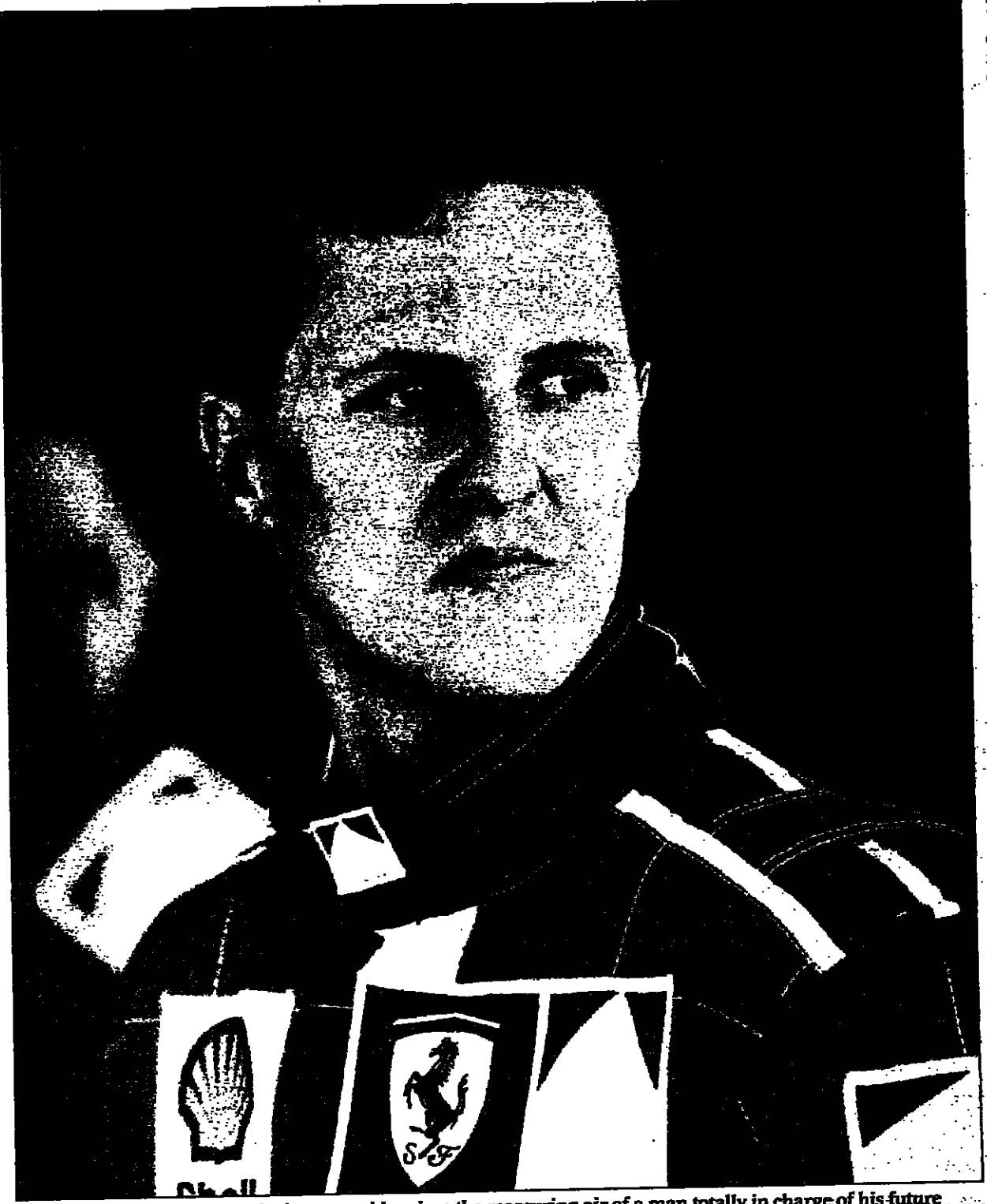
I asked Schumacher an unfair question yesterday: What gives him the most satisfaction, being the outstanding German sportsman of his time or being the driver who is restoring the lapsed fortunes of the scarlet Ferrari? "I never considered the first part of your question," he said, and for an instant the grey-blue eyes looked uncertain. "I couldn't say where I stand on the question of German sportsmen, there are so many different disciplines and imponderables."

Persevering, I put it to him that, with Boris Becker retiring, with Steffi Graf ailing, with no German footballer remotely as famous as Franz Beckenbauer, the responsibility, the focus, the attention of Germans was bound to be on him. Indeed, moments earlier, he had walked into a posse of German media and had patiently, with some humour and some typically forthright Schumacher principles, served them all.

The second question is more important," he continued. "Winning, and getting the championship back for Ferrari, is my personal ambition. That is it!"

He implies that the Ferrari mission — becoming the first world champion driver in that seat since Jody Scheckter, in 1979 — is paramount, sharing a priority in his life with his baby daughter, Gina Maria.

As well as the media pursuing Schumacher, there are 23 drivers, and how instructive it was in the paddock at Silverstone yesterday to see him in the company of Damon Hill and Jacques Villeneuve. Hill, though the lustre is almost faded out of sight, is



Schumacher, whatever he is engaged in, gives the reassuring air of a man totally in charge of his future

the world champion, a man unlikely to figure in Schumacher's rear view mirror on Sunday. Villeneuve began the season as the heir apparent, the inheritor from Hill of the supposed fastest car on the circuit. One has to say that, prefacing his answers with references to "it depends what Michael does", Villeneuve had the look of a reverent schoolboy — and Hill the haunted look of a man whose time is already past.

These are harsh judgments and they become honed — like the physique of the 5ft 10in, 11-stone Schumacher — the more the three are seen together. If, as we are bound to do, we exclude the 21 grands prix victories of Hill, it is a fact that Schumacher, with 25 wins from his 93 starts, eclipses the entire field for Sunday. He has almost double the triumphs of the contenders put together, and level with Jim Clark and Niki Lauda, this is a grand prix racer who is fifth in the pantheon of the greats, behind Alain Prost (51 wins), Ayrton Senna (41), Nigel Mansell (31) and Jackie Stewart (27).

Schumacher, like Senna before him, is proving the exception to the rule that

drivers scarcely matter in the modern world, demonstrating that one man, one consummate driver, can make the difference.

Back at Maranello, Luca di Montezemolo, the president of Ferrari and the man charged with the tradition and the mystique created 50 years ago by the late Enzo Ferrari, sits, almost by remote control, worrying and hoping that this is the year that his £1 million per race gamble — the fee that he pays Schumacher — is nearing fruition.

"I need a huge driver," Montezemolo said two summers ago when he waited for

Schumacher's response to his overtures. "I need his intelligence. I need him to push and improve the team, I need someone who will try to win not only one race, but the next and the next until we have restored the myth of Ferrari. I feel history, I look at the photograph of Mr Ferrari, and I try every day to make the improvements... but, to be the best, you have to have the best driver."

Schumacher is not alone. The dramatic improvement, particularly the speed and reliability that Ferrari have found this season, has many components. Behind the driv-

er, there is Jean Todt, the Napoleonic French figure, the orchestrator biting on his fingernails as he pulls together the team. Recently, Ross Brawn, Schumacher's technical director when he twice won the Formula One title with Benetton, has also defected to Ferrari.

Insiders give Brawn, an Englishman, enormous credit for soothing the emotions in the Ferrari kitchen, for organising the disparate parts into a focused atmosphere.

Even so, the driver — thank heavens, in this computer age — is his own man, and the very core of the renaissance.

It is intriguing, this solid German cross within the Ferrari marquee. Schumacher's father was a builder. "He put stones on one another," Michael engagingly put it. Like father, like son. From day one, the engineers in Formula One have been driven along by his meticulous curiosity, his determination to master every little thing on which his life, and their success, might depend.

Even yesterday, this trait

"To be the best, you have to have the best driver"

was apparent. Most of the drivers have been satisfied with the improvements to the new Silverstone, with the safety, the cornering, and the racing line. Schumacher said that he finds the alterations "interesting".

He described Silverstone as a very demanding circuit, with high speed cornering that challenges all drivers, but he made it his business to inform the FIA, the sport's world governing body, that, in his opinion, further protection barriers should be put behind Copse Corner. "The ultimate safety, you are not going to reach," he said, "but at this corner, we need more."

Then, proving that old enemies are fleeing on the track, that respect has been restored between him and Hill, Schumacher "excused" himself and spent ten animated minutes talking in private conversation with Hill.

The gist of it was that Schumacher, who works out every nuance and every ounce of weight on the throttle, was asking Hill the way into Copse. Hill suggested that maybe Schumacher is going into the corner too fast. By Sunday, rest assured that it will be right.

ATHLETICS: TRIALS OFFER CHANCE FOR SPRINTERS TO PUSH SPEED TO THE LIMIT IN ATHENS

Mackie beams in on world title pursuit

By David Powell

ONE of Ian Mackie's career ambitions is to be the first white sprinter to beat 10sec for 100 metres. "That would be a big, big thing," Mackie said. "It then goes down in history."

Some things are black and white in sprinting, but others are sometimes less clear, such as who is the world's fastest man? To this observer, there always seemed but one candidate last year — namely Donovan Bailey, the Olympic champion and world record-holder over 100 metres — but others laid out a claim for Michael Johnson.

As Mackie goes to his blocks in Birmingham this evening, on the first day of the three-day British trials for the world championships in Athens next month, he knows that, by booking his ticket to Greece in the 100 metres, he will be volunteering for the first official competition to find the world's fastest human.

The winner of the 100 metres

has traditionally been accorded that honour, but Johnson and his supporters challenged the traditional view during the Olympic Games in Atlanta, when the Texan obliterated the 200 metres world record. Bailey, linked at the suggestion that anybody but him was the world's fastest man, responded: "Let me put it this way. I am the only one who has run 27 miles per hour."

A 150-metres challenge race between Bailey and Johnson was staged by private entrepreneurs and, though it ended in farce with Johnson pulling up injured, interest in the subject of the world's fastest man persuaded the International Amateur Athletic Federation (IAAF) to latch on to the theme. Yesterday, it announced that technology would be employed in Athens that would determine the peak speed of runners in the 100 metres.

Until now, top speed has been measured only over segments of ten metres. Within each ten metres, there would be peaks and troughs

that would be levelled out. Now, using laser technology, outright peak speed can be given. Four lasers are to be inserted into boards behind the 100 metres start and in a diagonally opposite position behind the back straight.

The lasers will be aimed at the lower backs of the athletes to record velocity throughout the races. This will be done only in the 100 metres and the 4x100 metres, for men and



Black: virus

women, and will apply only to the athletes in the middle four lanes. The higher-seeded athletes are awarded the central lanes.

The 200 metres runners have been omitted. Why? "The only races where you can say, without doubt, that this is where they are going to run the fastest time is the 100 metres and the relay," Nick Davies, an IAAF spokesman, said. "It will not happen in the 200. In the 200, you reach top speed around the bend, then hold it, so it is impossible to be faster in the straight than in 100. When they had this 150-metres challenge and people started to go on about who was the fastest man, that was an interesting query. There was a lot of media attention on that."

There is no assurance that the fastest athlete will be the gold medal-winner. A competitor who records the highest top speed may not be able to sustain his or her top pace and may lose to a rival with greater consistency.

Mackie starts favourite to

progress tonight and win the final tomorrow. Linford Christie's absence, confirmed by his agent yesterday, is conclusive proof that he will not be racing in Athens. The first day of the trials covers heats only, with the greatest interest coming in the men's 400 metres.

The withdrawal of Roger Black was confirmed yesterday, which may present the selectors with a dilemma when they meet on Monday. Black, the Olympic silver medal-winner, has a virus and hopes that a place will be left open to give him time to recover.

However, the 400 metres is Great Britain's most competitive event and, if three athletes run quickly in the final on Sunday, Black may be omitted. The first two are guaranteed selection and, on recent form, they would be Iwan Thomas and Mark Richardson. Jamie Baulch, who set a British indoor record last winter, would then have to run well inside 45 seconds to give the selectors safe grounds for dropping Black.

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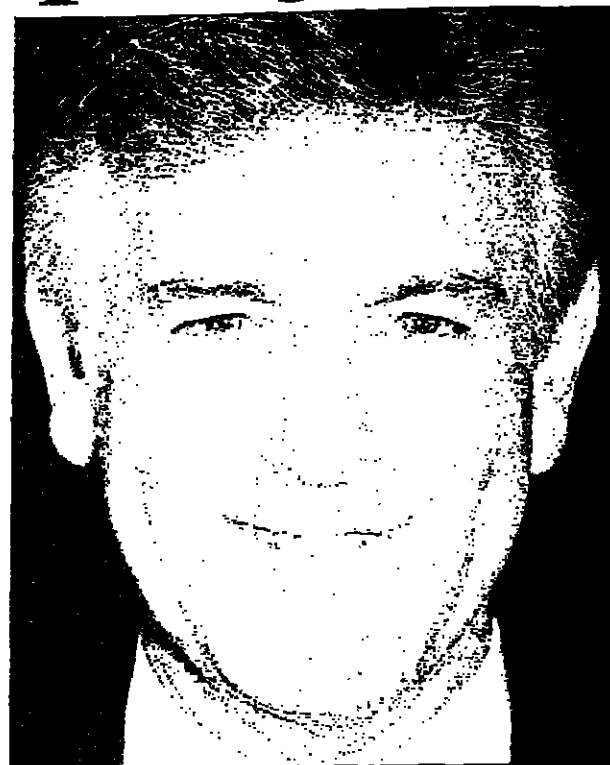
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BLUE

TOTAL SPORT

Tonight, a two-year battle for the control of English rugby union reaches a climax at the RFU agm in a

Two candidates in quest for peace, progress and unity



CLIFF BRITTLE

Chairman, the RFU executive committee: A successful and wealthy businessman living in the Isle of Man, Brittle, 55, played as a back for Stoke, Sale and Staffordshire. He later coached his county and chaired the Midlands Division in the mid-1980s. He has represented Staffordshire on the union committee since 1989, was elected chairman of the executive by a substantial majority in January 1996 and has been proposed for re-election tonight by Orrell and Hinckley.



BOB ROGERS

RFU candidate for chairman: A Worthing solicitor, Rogers, 53, has represented Sussex for 11 years on the union committee. A solid, grassroots background as scrum half for Worthing and Sussex, he chaired various sub-committees and was involved in early negotiations with England squad players over commercial returns. Rogers won praise for his confident handling of the union's second agm 16 months ago and also negotiated constitutional changes in the March agm.



WAR OF THE ROSE

The overwhelming support won by Cliff Brittle when he was elected chairman of the existing Rugby Football Union executive committee might have suggested a position of unity. Though, self-evidently, it has not. Brittle retains a positive view — indeed, a vision — of a progressive England taking a deserved place among the counsellors of the world game.

"Whoever the chairman is, he must have a vision of where the game will be in 20 years' time. He must sort out not only the internal structures but he must see the RFU role in the international game and how it can help bring on other nations in the world."

He perceives elitism as carrying with it responsibilities but believes that, in the past 18 months since his election, much of the domestic structure has been established.

"We have a new, streamlined structure, 95 per cent of which has been accepted by the committee, but it's only a beginning, the first rung in a very tall ladder. With the structures we are creating, we have to make sure we have people in place with the necessary skills of the highest order to make the structures work."

It is a view he reiterates regarding the television contract, over which he is "neutral". While cautious about the knock-on effects both for potential sponsors and the wider appeal for youngsters, Brittle agrees that "we have a contract, it is signed, we must make it work. I have nothing against Sky at all — my argument has always been the way the deal was negotiated."

Brittle says that the protracted negotiations with the senior clubs had to be endured: "They were always going to be difficult. The clubs have suffered decades of frustration

when they were wrongly excluded from a place at the table where decisions were made. When owners came into the game, the demands for control increased, but we finally reached an agreement which retained unity and the governance of the RFU.

"Over-playing of players has got out of hand and we have to sort out a proper transfer system as well as the problems of non-English-qualified players which will continue to be detrimental to the development of English players. Too little money goes into the development of the game, too much goes out to the advantage of players."

Brittle believes that the English Rugby Partnership is enhanced by its association with the RFU: "I never thought the clubs would break away, they would have had more to lose had they done so."

The degree of independence enjoyed by the ERP is fair and the clubs have worked hard to improve playing standards.

"They should be congratulated on their success. It's a better television product and more exciting for spectators. It augurs well for the future but there is no way the game, or the clubs, should relax. The success of the Lions in South Africa and the way they played will draw more from the clubs and the five nations' championship will be better for it."

As the same time, Brittle sees the RFU as having become remote from the game at large: "We don't want to start putting extra layers in but the game should feel closer to the decision-making process. We have to find the interface between paid and unpaid administrators, without whom the game cannot function. We need better communication and we need greater accountability."

Had the Rugby Football Union proposed Bob Rogers as their candidate as chairman in 1995, one wonders whether much of the discord the game in England has suffered would have happened. Rogers puts himself before the annual meeting as a unity candidate capable of welding a restructured union into a cohesive force.

"I want to see a return to teamwork, both in the committee rooms and in the offices at Twickenham," Rogers said. "The bitterness and divisiveness must end and we must come together in unity. We must give the new management structure a chance. It does not come into being until Friday [today] and I am optimistic of its success."

Rogers does not gloss over the problems the game faces but he does emphasise the progress made since the Paris declaration of August 1995 changed rugby's fundamental regulations on amateurism.

"Rugby union is a world game and we cannot afford an isolationist view. Equally we must promote and provide for all the levels of our game. Money and support must be made available to all clubs from the grass roots upwards so that rugby union is seen by our young people as the most exciting of sports."

Rogers appreciates that the success of a sport has a direct correlation to the success of the national team but that the leading clubs have now become, themselves, further showcases for the game. But he is happy that, in establishing the English Rugby Partnership (ERP) — the joint venture between the RFU and the 24 clubs in the new Premiership — a balance has been struck between primary interests.

"All RFU clubs are the lifeblood of the English game and all must be represented on the governing body and then supported by it. The RFU must retain control of the competitive season and the distribution of financial and other resources. The RFU council and the management board, working alongside and with the board of the ERP, will allow for good communications and therefore enhance the opportunity to work together for the overall good."

Rogers is content that the television agreement negotiated by the RFU will produce £65 million for the game outside the country's top 24 clubs and that the combination of satellite (BSkyB) and terrestrial (ITV) coverage will reach greater numbers of armchair viewers than before.

"This deal, with increased international matches at Twickenham and one at Old Trafford, and a renewed interest and financial commitment from sponsors, has ensured that we have the money and the ability to increase investment and support at all levels."

Rogers is keen to see further research into the short and long-term effects of the first full season of open rugby, and queries the growth in overseas players, the over-payment of players and the potential decline of adult teams through the competitive structure. But he believes that if he is unsuccessful, the divisions within the game could be disastrous.

"I fear that, if Cliff Brittle is re-elected, the existing problems and divisions will continue and the RFU image will continue to decline," Rogers said. "The top clubs will become increasingly dissatisfied and will drift away from the RFU."



Stretched to breaking point? Dallaglio and other England players training in Sydney are playing year-round rugby

Pressure mounts on players as England take it to the limit

David Hands, in Sydney, fears for the health of a tiring national team

ENGLAND will lack nothing in motivation when they play Australia in Sydney tomorrow, though fatigue may let them down. The 12 players who were with the British Isles in South Africa arrived after a defeat in Johannesburg, the remaining three were among the England XV that lost to Argentina, and they want to turn those losing positions around.

The dozen Lions may yet be reduced by one if Tony Underwood withdraws this morning. The Newcastle wing is doubtful because of the hip muscles damaged in a tackle during the third international with South Africa last Saturday and his likely replacement is Nick Beal, of Northampton, who scored three tries from the Lions' left wing against the Emerging Springboks last month.

The professional attitude of the players who were with the Lions and those who were in Argentina is very evident," Phil de Glanville, the England captain, said yesterday. "People are very disciplined about their approach to rugby and getting themselves into the right mental state."

De Glanville has spoken to Don Rutherford, the Rugby Football Union's director of rugby, about the demands being made on players. "We realise, as players, that international rugby is where the

money is to be made for the union, but they should try and give us the best possible chance to be successful, whatever we are playing," de Glanville said.

Letting affected some players badly in training yesterday and several Lions will admit privately that the physical battering that they have taken on tour is having its predictable effect. Therefore, this England combination will go into tomorrow's match with little more than three hours' meaningful preparation, against an Australia side (in which Daniel Manu will be replaced by David Wilson in the back row) on the rebound from defeat in New Zealand and a critical blinding.

"Fitting games in with Australia's schedule is not easy but, in the future, I hope the RFU will do everything possible to make sure they are as successful as they can be," de Glanville added. "The build-up to games should be as favourable as we can make it, and that is not the case here."

The union is discussing next summer's tour to the southern hemisphere, which could embrace internationals against the United States, New Zealand

(twice), Australia and South Africa, a schedule which is contrary to logistics as well as player-fatigue.

Rutherford himself has been in New Zealand, talking to leading coaches such as Graham Henry and his predecessor as coach to Auckland, the English-born Maurice Trapp, with a view to strengthening the RFU's coaching team. It is, however, a sensitive time in that Jack Rowell's future as the England coach has yet to be decided, and will depend upon the recommendations of the reconstituted RFU national playing committee.

In response to speculation about Rowell's position, Derek Morgan, the present chairman of the national playing committee, said yesterday: "No one has been asked or authorised to make approaches to any other coach. No formal discussions or decisions will be taken about the coaching position until after the players and team management return from Australia."

Rutherford said: "We have several representative teams and are looking at ways in which we can consolidate the present state of affairs." Even

so, the RFU must take note when players voice justifiable fears of over-exploitation.

"At international level, we sometimes underestimate their quality, not just as players, but their ideas and their thinking," Ian McGeechan, the Lions coach, said earlier this week.

"It's not up to us to administer the game," de Glanville added, "but I hope communications between the union and its players will improve and remain good. I hope there will be a two-way process at international level."

Lawrence Dallaglio, captain of Wasps again next season and an increasingly influential voice with England and the Lions, suggested that leading players would be well-advised to consider delaying their start to the new season.

"Club administrators have a responsibility to ensure their sides win but there's also an issue of man-management," Dallaglio said.

"I'm sure they realise they should look after their international players. That means resting them, in order to bring the best out of them. The majority of players on tour won't report back until the middle of August and they should ease themselves back in to ensure that, for important matches midway through the season, they aren't either injured or fatigued."

THE BRITTLE CAMP



FRAN COTTON: Riding the crest of a wave as manager of the successful recent British Isles tour to South Africa, Cotton propped the England scrum 31 times between 1971 and 1981. He toured as a player with the Lions in 1974, 1977 and 1980. The managing director of the Cotton Traders leisurewear group and, in recent months, an outspoken critic of the RFU hierarchy over their "disdainful" treatment of member clubs.



BILL BEAUMONT: Best-known England player before Will Carling, partly through appearances on the BBC's *A Question of Sport*. Played 34 times at lock for England, 21 as captain, between 1975 and 1982 and toured with the Lions in 1977 and 1980. Managing director of family business, he was fast-tracked onto the RFU committee last year to represent the national clubs and is due to become chairman of the national playing committee.

THE ROGERS CAMP



TONY HALLETT (RFU secretary): Twickenham's leading paid official since 1985, when he succeeded Dudley Wood. Hallett, 51, played for the Royal Navy and Richmond, later becoming the club's chairman. A supply officer with the Navy, whom he represented on the RFU committee, he chaired the RFU ground committee which piloted through, on time and within budget, the Twickenham rebuilding programme.



COLIN HERRIDGE (RFU treasurer): A long-time member of Harlequins and the club secretary for 11 years. Herridge has also been closely involved with Scream/Claydon, and with Surrey as the county chairman of selectors and subsequently president. He was media liaison officer for the England squad for four years, and advised on marketing for the club and union. Hallett took over as the RFU treasurer last year.

London hotel. *The Times* looks at the issues, the clubs and the personalities involved in a bitter conflict

So, how did things ever come to this?

David Hands looks at the background and complex causes of tonight's events

THERE have been times during the past two years when a surrealism has entered English rugby entirely out of character with the game. The sport's wheelers and dealers have met in furthest corners, making and breaking alliances, leaking information for the advancement of their cause, recreating the Cold War in a way reminiscent of the best John le Carré novel.

The media entered into the chase with enthusiasm until most of them realised that little was being accomplished and that, in fact, the game itself — the game that is played upon acres of grass rather than in corridors of power — was getting along pretty well. The media, indeed, became almost as confused as the rugby-loving public as tales of malice and spite, confrontation and eyeballing argument became common currency.

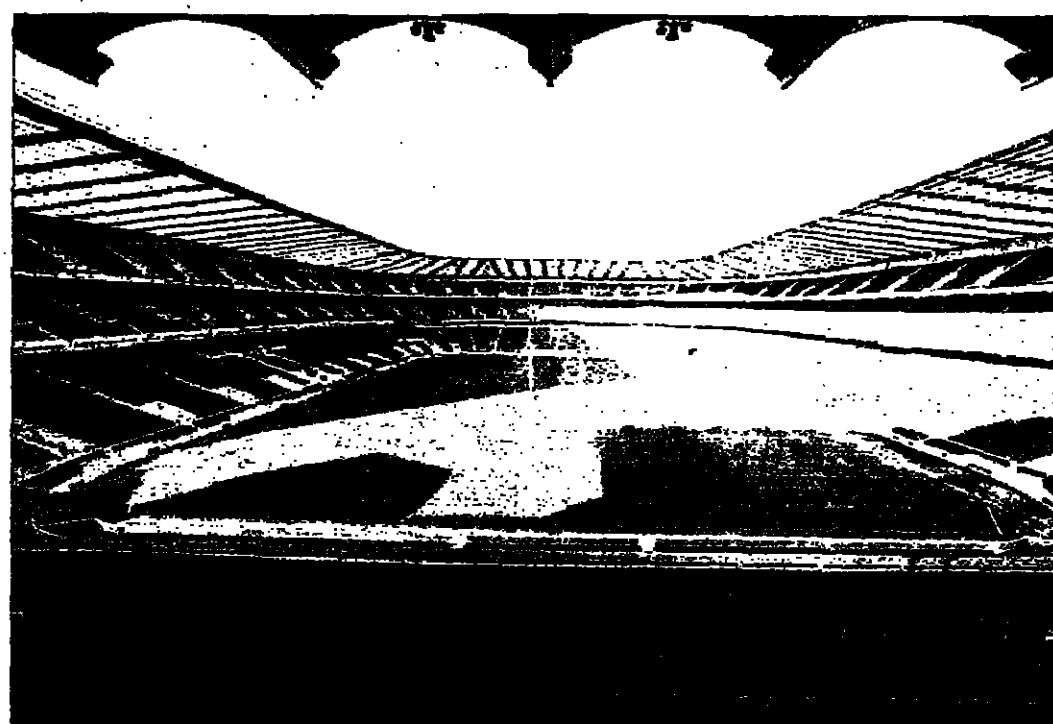
It is a far cry from the enamelled splendours of the Paris hotel where members of the International Rugby Football Board agreed in August 1995 to change forever the

nature of the game, to the more modest surrounds of hotels in provincial England where members of the Rugby Football Union (RFU) earlier this year sought to discover the concerns that motivated the smallest of its members.

For the vast majority, those concerns remain: Can the union help with advice on insurance? What about the influx of mini-rugby players and the need for equipment? Any chance of a rates rebate? Merely because the high and mighty have declared that what was once so is now no longer, the game below goes on.

Yet the fast remained that England were ill-prepared for the decision taken in Paris to scrap the amateur regulations. Unlike their southern counterparts, the preparations, philosophical and practical, were not in place and, because England is by far the biggest of the home unions, her problems were always going to be emphasised.

First there was a moratorium, then a commission. There was a commission anyway, that under



Twickenham, the home of English rugby union and scene of much intrigue and bitter wrangling

the auspices of Bill Bishop, the 1995-96 RFU president and a man who has given much of his life to rugby for the pure love of the game. Anyone with an ounce of feeling would have recognised, and sympathised with, the agonies through which Bishop went at the first of the RFU's extraordinary general meetings of January 1996.

"Tell me what you want," he implored an increasingly hostile meeting for which the RFU had prepared poorly. It cost them their candidate for the post of executive committee chairman and lost them a huge amount of respect. In many ways, they have been making up lost ground ever since.

Meanwhile, we have been plagued with such meetings, with reports most of which bear Sir Patrick Lowry's name, with acronyms — as well as acrimonious — gatherings and the rise and rise of powerful and wealthy individuals whose knowledge of the game is sometimes limited but who know what they seek from a business deal.

The English Professional Rugby Union Clubs (EPRUC) invaded the nation's consciences (soon to be unconscious) thoughts and the names of Sir John Hall, Donald Kerr, Peter Wheeler, Cliff Brittle and Tony Hallett became de rigueur, to be dropped from the lips

of anyone who knew anything of the state of English rugby.

Hall and Kerr wrangled with Brittle, administrators walked into meetings or walked out of them, midnight oil was burned in gallons, agreements were on and then off. England were out of the five nations, then they were back in and whose was the credit anyway? Publicity companies and lawyers entered the fight.

After all the back-biting, the dirty tricks, the spin doctors, shall we have peace in our time today? All one can say is that, if someone enters the London Hilton this evening wearing a homburg and waving a piece of paper, watch out.

The points at issue

TELEVISION

The bone of contention has been the television deal struck with BSkyB which detractors say was a dash for cash entered into in undue haste to offset the possibility of a breakaway by senior clubs. One key issue was whether pay-per-view was part of the original heads of agreement signed last year. Was last year's meeting misled?

The RFU says not, as it always had the power of veto, over its introduction, but that pay-per-view wasn't an issue and is not part of the long-form contract signed this week. The RFU maintains pay-per-view is excluded unless it agrees and one source said: "We aren't going to agree." Critics say it was only the pressure exerted by the Reform Group and others that highlighted a possibility of a sellout and forced the RFU to back down.

While holding nothing against Sky, opponents say the television deal was struck without proper consultation and that a cover-up has ensued. The RFU insists the Sky money could not have been bettered and the announcement of ITV as a terrestrial partner is good for the game.

FINANCE

Television money provides the bulk of the income to the RFU, which is heavily committed financially, and made a revenue loss last year of £6.2 million. Three leading sponsors (Pilkington, Courage and Save & Prosper) have or are in the process of pulling out of rugby. The RFU says that a host of "blue chip" companies are being lined up to replace them.

Opponents say it is because the companies did not get the requisite exposure on satellite television. The ITV deal should help to attract new sponsors — such as Allied Dunbar who have replaced Courage — with internationalists shown early on a Saturday evening.

Senior clubs share about £10 million a year: £4.5 million from the Sky contract, £4 million from Allied Dunbar and other sponsors, and a £1.5 million grant from Twickenham. According to their detractors, the top clubs wanted even more, at the expense of their smaller brethren.

Next season clubs below the Premiership will each receive amounts ranging from £90,000 to £300. Junior clubs are grateful that a transfer fee/compensation scheme, however modest, has been agreed on a sliding scale.

FIVE NATIONS

The RFU's decision to sell television rights to five nations' championship matches at Twickenham to BSkyB last year led to their temporary expulsion by the Celtic nations, outraged that those "crown jewels" were not England's to sell.

The question remains about the timing of the expulsion and whether the RFU held back that information from last year's AGM and whether it would have affected matters then. Brittle supporters say it was only his efforts which saved the five nations as per the accord of September 1996. The RFU insists the five nations is "set in stone" and that, while some may want participation in an expanded Tri-Nations tournament, it is a non-starter.

The Reform Group insists that the needs of Scotland, Ireland and Wales should not be sacrificed for England's well-being and the possibility of World Cup success.

STRUCTURE

Is "one club, one vote" still realistic? However, all agree that cannot and will not change. The RFU would like the committee to pick the chairman of the management board and not rely on the full membership.

"It is an absurd situation. We are the only country in world rugby that does it this way," a Twickenham source said. "It is a throwback to a bygone era."

The Reform Group says that one club, one vote has been the clubs' only protection in the last two years. It insists that it is grass-roots clubs that produce and develop players. The RFU supports a strong club base but accepts there is a place for county/representative rugby, though without top players. Brittle sees strong divisional rugby as a vital bridge between club and international level.

THE RUGBY FOOTBALL UNION

THE Rugby Football Union will be run next season on a daily basis by a management board. This replaces the former executive committee, which Cliff Brittle, the incumbent chairman, has described as a cabal. It comprises 12 members, some professional, some unpaid. They include the RFU president, the senior vice-president, the director of rugby and the chief executive (formerly the secretary). Also on the board are a director of finance, director of support services, representatives of the English Rugby Part-

nership and the International Rugby Football Board, and three members of the RFU council.

This council replaces the full committee, the "old farts" to whom Will Carling, notoriously referred, the council has overall responsibility for RFU affairs and comprises 58 elected members plus five full-time professional appointees, who also sit on the management board. Most of the elected members come from the constituent bodies (the counties, schools, universities, armed forces, etc.). Others include past

RFU presidents, leading club representatives and International Board members.

There are 1,571 full members of the RFU plus a further 502 clubs affiliated only to the constituent bodies. Some 132 university clubs and 133 services clubs can also vote tonight, although last year fewer than half of those eligible to vote did so.

On January 14, 1996, 647 votes were cast for Cliff Brittle and 332 for John Jeavons-Fellows, then RFU candidate for the post now being contested by Bob Rogers.

ANNUAL GENERAL MEETING

THE annual general meeting of the Rugby Football Union will be held in the ballroom of the London Hilton Hotel, Park Lane, tonight from 8pm.

The election of officers to the union for the 1997-98 season takes place halfway through the 11-item agenda. Many of these posts are uncontested, with the obvious exception of the chairman of the management committee, the ballot for which will be scrutinised by the Electoral Reform Society. Many of the votes will be cast by proxy, since

some club representatives are unable to attend in person.

The result is supposed to be kept secret until the end of the evening — when that will be anybody's guess — after all items on the agenda have been debated. Whether this is possible, and what the ramifications of an early leaked result would be, remains to be seen.

Additional reporting and research by Nicolas Andrews, Mark Souster and Marcus Williams

THE MOOD OF THE COUNTRY

Q1 Will you be at the AGM?

Q2 How was your club's policy formulated?

Q3 How will your club vote?

Q4 What are the key issues in the election?

Q5 What will you do if the other side wins?

THE NORTH				
WEST HARTLEPOOL Premiership Two	Yes.	Yes. The board of management made the decision.	Bob Rogers.	We are concerned that Cliff Brittle has decided what level of democracy he feels is valid. He has lost every vote but still goes on about democracy. He is obstructive about the way forward with no clear vision for the future. He just wants power and justifies everything by saying that the clubs put him in. We have no time for him at all.
WHARFEDALE National League One	Yes.	Yes. We had a committee meeting. The players have a representative and their voice was heard.	We will vote in the best interests of the club.	We are a bridging club between the grassroots of the game and the Premiership, and yet we see ourselves as a grassroots club and it is all about representation and accountability. Our geography has a lot to do with it. We see ourselves as a community facility.
MEDICAL Durham and Northumberland	No, we shall not be going. London is a long way. We have put our proxy vote in.	Yes. We discussed it at committee level and listened to the players.	We voted for Cliff Brittle last time and see no reason to change our mind.	The RFU has not managed the transition to professionalism very well and they have not listened to what clubs have said. There are probably faults on both sides and Cliff Brittle is not without blame. We are sure Bob Rogers is a nice fellow and competent man but we are going for Brittle.
NORTHAMPTON Premiership One	Yes.	Yes. At a board meeting. The players were not involved.	Bob Rogers. We cannot imagine a professional club voting any other way.	We believe professional rugby is working very well, as is the ERP. We have seen the Lions do well in their first professional tour and any changes to that and the top end of the game and any management committee with Cliff Brittle in charge will only rock the boat.
BIRMINGHAM/SOLIHULL National League Two North	Yes.	Yes. At a committee meeting.	For the person the club feels will unify the game. We might not have chosen the right person but he is the one to bring all this to an end.	We are looking to have better representation and also an end to the inhouse fighting.
OLD NORTHAMPTONIANS Midlands East One	Either in person or by proxy.	Yes. We had a committee meeting on Tuesday night and the players representatives were there. There was some debate, but the final decision was unanimous.	For Cliff Brittle and The Reform Group.	We were concerned about the amount of material coming from both parties. They must have spent a fortune, and the material was fairly similar. They both purport to represent honesty, integrity and whatever. We found it difficult, on the basis of the material, to make a decision so it is based more on a gut feeling. The feeling was that the little clubs would get a better hearing from Cliff Brittle. For clubs at our level, the influence of the RFU is fairly remote. We seem to be fairly low on the list of priorities. At least Cliff Brittle has some supporters who are nationally known.
RICHMOND Premiership One	Yes.	Yes. A decision was taken at a board of directors meeting. The players were not involved.	Bob Rogers. Brittle has his own agenda.	We feel there is peace in our time and that should continue as we have had enough of singing mud at each other. Peace has been made between the RFU and the senior clubs. There is still unrest among the junior clubs but, if there is more money in the game, everybody will benefit. It is a bit like the Kerry Packer situation cricketers now earn a decent living because of it. Junior clubs can only benefit from the additional money in the game. There is a tendency to criticise the governing body but everyone only stands to gain a lot. Brittle is a retrograde step because it is time for peace.
HENLEY National League Two South	Yes.	Yes. It was the chairmen's decision. The players were not terribly interested.	Bob Rogers.	The key issue is to keep the RFU together as a rugby union. Our fears are that, if Cliff Brittle gets re-elected, the divisions will go on and on and, in the end, the senior clubs could well be tempted to reassess their relationship with the RFU. There is a lot of sympathy for what Brittle has said but, as an individual, he is so obstinate. He wants to control everything. There is a legacy of John Burgess. It is felt in Lancashire that he was badly treated by the RFU and it has not been forgotten. Fran Cotton has picked up his banner.
THANET WANDERERS London Two South	No. We are sending in a proxy from Kent.	Yes. We went to the Kent AGM, where one representative spoke for Cliff Brittle and another for Bob Rogers, but everyone who stood up from the floor spoke for Cliff and he carried the day. Then we had an AGM at the club last Thursday and we discussed it. We are all happy with that. The players were there.	Cliff Brittle.	We are not very happy with the situation at the moment. Listening to a lot of people, we think Cliff is there for the junior clubs like ourselves. We have also got a lot of time for people such as Bill Beaumont and Fran Cotton. If they chucked the lot out and put in Cliff, Bill and Fran, then we would see some sense.
GLOUCESTER Premiership One	Yes.	Yes. The clubs position was decided on at a committee meeting.	Bob Rogers.	We just want everyone to settle down and hope that peace and common sense prevail.
PLYMOUTH ALBION National League Two South	Yes.	Yes. At committee meeting on Tuesday with the chairman.	Cliff Brittle.	We need to be better informed about what is going on. We are being treated like mushrooms kept in the dark and being fed nibbles by the RFU. We are not satisfied with what is going on. Not all of us are happy with the distribution of money from BSkyB. We feel it was a rash job and is no good in terms of the public being able to watch rugby on television.
KINGSBRIDGE Cornwall and Devon	No. We cannot make it because of work commitments. We will be voting by proxy through the Devon representative on the RFU committee.	We have given the Devon representative a mandate to vote on our behalf and believe he will represent our views. We classify ourselves as a junior club and we have not gone through it piece by piece. We have met informally and our team manager came to the committee on the players behalf. They had one main concern, namely which chairman we would be voting for. They wanted Cliff Brittle, so we are united and perfectly happy.	Cliff Brittle. The Devon representative will be holding a lot of proxy votes for him.	We have not been through it that much. To be perfectly honest, we have been baffled by the huge amount of correspondence that has come through my letter box, both from Twickenham and around the country. It really is quite baffling.
THE SOUTH AND SOUTH-WEST				
If it is a democratic process, we have to accept that. No doubt we would want to make our point of view known through the ERP. That is the only avenue we would have now.				
We would have to discuss it as a committee and see what other committees were doing. We cannot see ourselves coping with what the RFU is dishing out in terms of funds for the South West.				
We have not really thought that far ahead. We do not think it will go against him. We are just disappointed that the democratic view of all the clubs has been ignored. Brittle was voted into office for three years and he should have been able to see out that term. We do not think there should have been this vote.				

Let's all be thankful for the boys in blue

As the pall of summer settles ever more heavily over the television schedules (believe me, I've read *the Radio Times* the three-weekly *The Bill* (TV) becomes ever more welcome. Slightly biased, I may be (bad, passim), but there's no arguing with the fact that round at Sun Hill they reliably pack more original drama into 24 minutes than BBC1 will get into the entirety of at least one particularly awful looking night next week. No arguing, that is, except with fans of classic clips, from compilations, of highlights, of repeats, of the funny bits from comedy shows that the BBC can't afford to make any more.

But back to Sun Hill, where last night's episode was particularly special because of Linda Dean, the actress formerly known as Mrs Grant Mitchell of Albert Square, was in it. And guess what? She was playing an arsonist.

Like a moth to the flame, Dean

appears drawn deliberately to set fires. Indeed, how she ever got through *The Hello Girls* without burning down Derby telephone exchange, I shall never know. But here she was, back on more familiar territory, playing Amanda Ronson (an unfortunate surname for an arsonist, don't you think?), a hairdresser whose salon had mysteriously burnt down. And not a Mitchell brother in sight.

Meadows (Simon Rouse) was convinced she had done it, largely because a few years earlier he had failed to get her convicted of helping to set light to her boyfriend's factory. This had to be another insurance job... except for the motive-wrecking revelation that the salon was not insured. If I tell you that the real motive involved a woman called Peggy and an extramarital affair, you'll probably laugh—but it's true. Happily, the quality of the script

and the acting ensured that we survived such spooky coincidences. Dean, looking browner and blonder than she ever had in Walford, was on good form and was particularly well supported by Polly Hemmings, who played Peggy, her rival in love and inherited wealth, and by Niall Reilly, her easily duped boyfriend.

W left Sun Hill with DS Beech (Billy Murray, another *EastEnders* veteran) still casting admiring glances in her direction. A woman, he thought, "worth getting your fingers burnt for." You wouldn't be the first," warned Meadows. Too right.

As the credits rolled, I faced the sort of depressing choice that tells you that summer schedules have arrived. Airport (BBC1) or Undercover Coppers (ITV)? And would anybody be able to tell if they pressed the wrong button?

REVIEW



Matthew Bond

At least, with *Airport*, somebody finally seemed to have agreed with me that watching it on television is even more boring than going to Heathrow itself. This episode had all the exciting bits that have been so conspicuous by their absence to date. We had a small plane crash (free any dead, or even injured), two medical emergencies (including a baggage handler with mildly crushed feet) and a glimpse

of Diana, Princess of Wales. For a moment I thought we were even having a fleeting glimpse of real life, until I discovered that the cross-looking passengers were not being turned away from the British Airways desk but from Virgin Atlantic's. Nothing to do with strikes, but some sort of hydraulic problem that meant their plane was still in Washington DC.

But best of all were Steve and Dennis, respectively resident reporter and photographer at Heathrow, who were clearly out to confirm everybody's worst suspicions of the journalistic profession. This hard-bitten pair already had the story of the crash, plus accompanying pictures, from a bearded, round, Egyptian businessman. But what they really wanted was an English family or an attractive blonde, "sex sells," observed the perceptive Dennis, who had just spotted exactly what he wanted. "She's pretty, she's blonde—if that

lady was a passenger she'd be perfect." The slightly worrying thing is that if you examine the front pages of even the more serious papers—he's right.

In *Undercover Customs*, Trevor McDonald was going where his fellow newsmen, Michael Buerk and Martin Lewis, have already gone—into the easy money world of presenting surveillance video clips and dramatised reconstructions. In time-honoured fashion, he assured us that the customs officers we would see and the members of the Cali cocaine cartel of Colombia were all played by actors. Either he was lying or the actors were having a very bad day.

Then there were the names to sort out. To protect the identity of the undercover customs officer, Trevor proudly told us he had been called Peter Hesketh. Fair enough, I suppose. But there was more. "To protect his informant,

we have called him... Steve." Steve? That left the Colombians. There was Gerardio Something-or-other, "known as Mr G" and Francisco Somethingelse. "You can call me Frank," Well, why not? The introductions set the tone of what followed.

Finally, Clive Anderson returned from his ill-fated mission to Man and BBC2 to present yet another new series of the still hugely enjoyable *Whose Line Is It Anyway?* (Channel 4). With gifted North Americans now dominating the team, Rory Bremner bravely pitched up to play the token Brit. He was thoroughly outclassed when it came to improvisation but got his own back with impersonation, which a surprising number of games tactfully seemed to require. The world's worst presenter of an educational series? Murray Walker, John Major, Geoffrey Boycott... why not Clive Anderson?

BBC1

6.00am Business Breakfast (34514)
7.00am BBC Breakfast News (1) (1701)
9.00am Breakfast News Extra (1) (352688)
9.20am Ready, Steady, Cook (1940904)
9.50am Kilroy (5612072)
10.30am Who'll Do the Pudding? Phil Vickery prepares honey-glazed duck, Paul Rankin cooks pan-fried salmon with chili vegetable ragout and Alastair Little nuttles up a raspberry and almond tart (18132)

11.00am News (1) and weather (710385)
11.05am Due South Leslie Nielsen guest-stars as a legendary Mountie who disappears a week before his retirement, prompting Fraser to set out in search of the man who was once his childhood hero (1) (702102)

11.50am Good Neighbours (2120633)
12.00am News (1) Regional News and weather (1) (1701)

12.05pm Call My Bluff (3589091)
12.30am Neighbours (1) (3018850)
1.00am News (1) and weather (1) (18132)

1.30am Regional News (4269121)
1.40pm Perry Mason: The Case of the Teltale Talk Show Host An unpopular radio presenter is murdered and the finger points at a colleague, until Perry uncovers a whole host of famous suspects who had a reason to do him in. Starring Raymond Burr (3720458)

3.10am Quilley (585072)
4.00am Popeye (705914) 4.10am To Me, to You (4478701) 4.30am Prince of Atlantis (83140) 5.00am Newsworld (1) (126528) 5.10am Record Breakers (1) (4897121)

5.35am Neighbours (1) (338898)
6.00am News (1) and weather (879)
6.30am Regional News (459)

7.00am Celebrity Ready, Steady, Cook Chelsi Ansley, Harriet and Tony Tabin attempt to create sumptuous meals against the clock, using ingredients bought from Walford market by *EastEnders* stars Wendy Richard and Todd Carty. Presented by Fern Britton (1/8) (4121)

7.30am Top of the Pops (1) (343)
8.00am Portledge Dick Clement and Ian La Frenais' classic comedy, starring Ronnie Barker as witty conman Fletcher and Fulton Mackay as his prison officer nemesis (1) (7059)

8.30am Auldrie's Sporting Bloomers Football pundit Jimmy Hill reveals some unexpected strings in his bow, including showjumping and winter sports (1) (2904)

9.00am News (1) and weather (879)
9.30am Scents of a Woman (1992) Al Pacino plays a blind, hard-drinking war veteran who pays timid college student Chris O'Donnell to accompany him on a weekend break in the big city. Directed by Martin Brest (2872095)

11.55am The Hunting Party (1971) Violent western, with Oliver Reed, Candice Bergen and Simon Oakland. Saddle Texas cattle baron Gene Hackman vows to wipe out the outlaw gang responsible for kidnapping his wife. Directed by Don Medford (10365)

1.40am Weather (2521305)

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BBC2

6.00am Open University: Danish Energy (7193072) 6.25am Controlling Carnival Crowds? (8194459)
7.15am See Hear Breakfast News (1 and signing) (6065188)
7.30am The Moonbirds (1) (7184546) 7.55am Cartoon Critics (1) (7005203) 8.20am Benji (1) (5703879) 8.35am The Record (2825508) 9.00am Isle of Pongo (1) (2824828) 9.10am The Phil Squires Show (1) (1928782) 9.30am Great Mysteries and Myths of the 20th Century (260524)

10.00am Teletubbies (45411) 10.30am The Season (1) (80904)
11.00am International Golf Day Three of the Loch Lomond World Invitational (71512)
12.30pm Working Lunch (42558) 1.00am Joshua Jones (1) (2520091) 1.10am Off the Beaten Track (9695188) 1.40am Blockbusters (5607324)

2.05am International Golf Further action from Loch Lomond (19219614)
6.00am Duel at Silver Creek (1982) with Audie Murphy, Stephen McNally and Susan Cabot. Tense western about an outlaw trying to prove his innocence. Directed by Don Siegel (1) (5897968) WALES: Quantum Leap (399533) 6.45am United Kingdom (193895) 7.15am United Kingdom (193895) 7.30am Gardeners' World (985) 8.00am Gareth Edwards at 50 (7782) 10.00am The World's Toughest Yacht Race (71955)

10.00am News (1) and weather (879)
10.30am Regional News (459)
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HTV

6.00am GMTV (5921184)
9.25am Win, Lose or Draw (1) (1934343)
9.55am Regional News (1) (4710940)
10.00am The Time, the Place (49237)
10.30am This Morning Last in series (1) (9412482)
12.20pm Regional News (1) (8687527)
12.30am News (1) and weather (8042275)
12.55am Designed by Emanuel (3027966) 1.25am Home and Away (1) (3772411) 1.50am Murder, She Wrote (1) (8059121) 2.50am Garden Calendar (8452633)

3.20am News (1) (1150072) 3.25am Regional News (1) and weather (1159343)
3.30am Rosie and Jim (1) (4468817) 3.40am Cartoon Time (6355278) 4.00am The Treasure People (1) (4382527) 4.15am The Real Ghostbusters (1) (4662140) 4.40am Get Wet (1) (8695072)

5.10am A Country Practice (4822817)
5.40am News (1) and weather (704904)
6.00am Home and Away (1) (548701)
6.25am HTV Weather (424782)
6.30am The West Tonight (1) (527)

7.00am Beadle's Hotshots Jeremy Beadle returns with more humorous home movies, including a spoof of *Riverdance* and an amazing performing dog (1) (8817)

7.30am Coronation Street Maxine is forced to make a difficult decision. Natalie gets more than she bargains for when she bumps into Sally (1) (411)

8.00am The Bill A group of local women fear for their lives after a callous loan shark launches a campaign of terror (1) (5237)

8.30am Surprise! Surprise! Cilla Black makes more dreams come true and reunites long-lost relatives (1) (37256)

9.30am Tarrant on TV Chris Tarrant continues his long-run-in-cheek exploration of global television (1) (14188)

10.00am News (1) and weather (8411)
10.30am The West Tonight Update (519546)
10.40am Old Gringo with Jane Fonda, Gregory Peck and Jimmy Smits. Epic period drama about a soldier who heads for Mexico to escape the influence of her parents and finds herself caught up in the 1913 revolution. Directed by Luis Puenzo (7712268)

1.00am *Twice in a Lifetime* (1989) Domestic drama with Gene Hackman, Ann-Margaret and Ellen Burstyn. Directed by Bud Yorkin (4581403)

3.05am Bonanza (1) (6105522)
4.00am Coach (1) (2014251)
4.25am Solid Blues (7872473)
4.35am Collins and Maconie's Movie Club (1) (2008919)

5.00am Coronation Street (1) (26676)
5.30am News (82299)

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CENTRAL

As HTV West except:
12.55pm-1.25am A Country Practice (8027966)
2.50-3.20am Secrets from the Secret Garden (8452535)
5.10-5.40am Shortland Street (1860275)
6.25-7.00am Central News (1) (313598)
10.40am Film: Revolver (1133237)
12.25am Sound Bites (462215)
12.40am Film: A Woman with a Past (679314)
2.25am The Lads (4330725)
2.55am Bonkers (6476454)
3.50am Heller Skitter (5406531)
4.40am Central Jobfinder '97 (7661164)
5.20am Asian Eye (662036)

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CHANNEL 4

6.00am Sesame Street (1) (27524) 7.00am The Big Breakfast (74411) 9.00am Bewitched (1) (85188) 9.30am The Monkees: American drama serial (1629505)
10.25am Transylvania A documentary look at the Romanian region (1) (1) (6949224) 11.25am Secrets of the Mummy (1) (561) (5636817) 11.55am Urbanus (1) (6361188)
12.00am Garden Party (1) (1) (65324) 12.30pm Caroline in the City Caroline and the Bridesmaid (1) (1) (59266) 1.00am Caroline in the City Caroline and the Wedding (1) (1) (2163322) 1.25am Australia (1) (16751481)
1.55am Racing from York The 2.10, 2.40, 3.10 and 3.40 races (42519121)
4.00am Fifteen-to-One (1) (140) 4.30am Countdown (1) (6184789) 4.55am Rich Lake (1) (1) (2017362) 5.30am Pet Rescue (1) (1) (904)
6.00am The Cosby Show Comedy with Bill Cosby (1) (1) (817)
6.30am Tour De France The 215km stage from Le Blanc to Marnes (168)
7.00am Channel 4 News (1) (200169)
7.50am Chester Mystery Films (335879)
8.00am Garden Party The experts are at the Cameron Community Garden in London's East End (1) (3879)
8.30am Brookside Rachel receives some good news about the wedding—but is it Christian as keen? (1) (5814)
9.00am Friends: The One Where No One's Ready It is Ross's big night—he is making a speech at the museum, with his five friends in support (1) (1258)
9.30am Cybill: Going To Hell In A Limo Comedy series starring Cybill Shepherd (1) (42530)

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BALLROOM DANCING 43

Youngsters with the world at their feet waltz into limelight

SPORT

FRIDAY JULY 11 1997

GOLF 46

US Open champion takes his chance to make a splash



Future of national game at stake

Decision day dawns for English rugby

By DAVID HANDS, RUGBY CORRESPONDENT

ENGLISH rugby, which under normal circumstances would take comparatively little interest in the annual meeting of the Rugby Football Union (RFU), will hope that this evening's assembly at the London Hilton Hotel will bring to a conclusion the worst outbreak of internecine rivalry in the union this century.

Only the rupture between the northern clubs and the rest of the country, which led to the formation of the Rugby Football League in the mid-1890s, has surpassed it during the union's 125-year history. To that extent, it should not be surprising that the embrace of professionalism by rugby union two years ago should have led to a similar upheaval, save that, in England, the feud has become so bitter and personalised that it is hard to see certain key figures working with each other in the future.

The all-important motion before the meeting is the election of officers for next season: it is only two years ago that the RFU decided it required a chairman, to relieve the president of some of the day-to-day running of the union affairs, but it tailored the job to a specific individual rather than laying down job specifications.

Peter Bromage died only five days after being elected chairman, just as Tony Hallett was coming to terms with his role as secretary in succession to Dudley Wood. In retrospect, the RFU might have been better advised to follow its initial thoughts in seeking Wood's successor — when it employed head-hunters to discover worthy candidates and choose from outside its own. Instead, Hallett, one of their committeemen, was successful and has been forced to fight his corner ever since.

It is not, however — for now — Hallett's position that is at stake. Cliff Brittle, elected chairman by a 2:1 majority in January 1996, thanks to a wave of support from the 2,000 small clubs who make

up the membership of the union, is defending that role against Bob Rogers, the official RFU nominee. That in itself may say something about the disputatious times in which the union is ravelled, but it is by no means all.

It is not beyond belief that the meeting could also refuse to elect Peter Brook as president, even though nobody is standing against him. Usually, the presidency passes seamlessly on an annual basis from one long-serving candidate to another, but these are not normal times. Such is the president's power, those who support Brittle may feel that they must also discover a president who would not choose to overrule him, as John Richardson, from Warwickshire, has found himself having to do during his year of office.

In fact, Brook, 65, the former managing director of a textile company, has an aspect from his service on the International Rugby Football Board and his work with referees that is beyond the

norm. "People have to learn that personalities should not be the foremost thing now," Brook said. "People on our committee and our staff have to realise the game and the union are bigger than any individual."

"We have to have corporate responsibility. I'm sure we will get that because everyone knows we have to have it. It will be a disaster if, after the elections, the losing side does not accept the verdict. This is the epitome of a democratic election and if that is not accepted, it shows you don't accept democracy."

Sir Patrick Lowry, in his report to the RFU special meeting in Birmingham in March, detected a "lack of communication" between prominent individuals involved in this dispute. That is putting it mildly. Brittle has accused the existing RFU hierarchy of acting as a cabal, of deceit and a lack of integrity; they, in turn, have accused Brittle of hysterical outbursts, delusions of grandeur and obstructionism.

The existence of the RFU Reform Group, a pressure body with Fran Cotton — manager of the British Isles tour to South Africa that has just ended — as its president suggests a groundswell in favour of Brittle today. If he wins, he will seek new applicants for the post of chief executive of the RFU and claims that, should Hallett be judged the best candidate, he will accept that. Yet such are the differences that have arisen between Brittle and his supporters, and those of Hallett, Richardson and Colin Hurrell, the RFU treasurer, it is almost impossible to perceive them working together again.

The senior clubs, well aware that their vote counts for as much or as little as the most junior club, will watch the situation with a sense of unease, even though they have established a reasonable working relationship with the RFU. They have found Brittle the most rigid of negotiators and they may worry that he may yet seek to implement some form of regional rugby, as envisaged by Cotton, his most substantial supporter and who would enjoy a policy-making role within the union.

If Brittle loses, then the revised management already in place will take effect, with Hallett as chief executive, subject to a review of his role in October. The prospect is, however, that Brittle will win, that Rogers will remain as Sussex's representative on the committee and that there will be a blood-letting of considerable proportions unless individuals such as Hurrell should choose to fight Brittle's influence. If that happens, then a weary country and the rugby world outside, which has watched with disappointment England's decline as an influential voice, may find that this evening has changed nothing.



Hill was in pensive mood yesterday when he joined Schumacher and Villeneuve to discuss the British Grand Prix at Silverstone on Sunday

Hill wounded by owner's arrows

By MICHAEL CALVIN

DAMON HILLS troubled season reached a new nadir yesterday when his professionalism was questioned by the man who invested £4.5 million in his status as world champion, Tom Walkinshaw's strictures, on the eve of the British Grand Prix meeting at Silverstone, were uncomfortably close to public humiliation.

Walkinshaw, owner of the Arrows team, sought to deflect some of the blame for a barren first half of the season on to Hill, who admitted that he has struggled to sustain his motivation in unaccustomed adversity. His criticism was all the more wounding for its measured, clinical tone.

Matters came to a head after the French Grand Prix, when Hill finished three laps behind the winner, Michael Schumacher, after a first lap incident. Walkinshaw (right), irritated but ultimately inured to constant suggestions that the world champion is wasting his talent, informed Hill that it was time that he lived up to the responsibilities of his reputation.

"Any professional sportsman is only as good as his last race," he said. "If they think to themselves 'I want to be in a better situation', they should try 110 per cent to impress other people. I struggle with the concept of motivation being a factor. If money doesn't motivate, then fear of failure should."

"There comes a time when you stop being subtle. There's no point in allowing frustration to build-up inside you. You have to be blunt. A driver

is the same as any other employee and you have to confront the guy with the problem."

"It's not a motivation issue, it's an application issue. Maybe we were too comfortable together. I've got to get him back on the ball for his sake and mine. We both know what he's capable of and that is something better than this."

"It's up to me to help him. I'm not dropping him in it. It is up to everyone to perform better in the second half of the season. A lot of silly mistakes have been made."

Such public criticism will be difficult for a man of Hill's fierce pride to tolerate. He is a deeply sensitive character, whose future remains clouded in the seasonal smokescreen of rumour and innuendo. He

will expect, and receive, little sympathy in the present climate of fevered speculation.

He struck a forlorn figure yesterday when, at a pre-race public appearance alongside Michael Schumacher and Jacques Villeneuve, he was presented with tangential evidence of his sudden decline. He was in self-deprecating mood, but the frustrations were obvious.

"It's going to be difficult to get a win here," he said, triggering cruel laughter. He added, more realistically: "Just getting passed the first lap or finishing the race would do the trick."

"I have got very used to seeing my name at the top of the lists in recent years and now sometimes I have to scroll down to the second page to see where I am. It's kinda new. It says your oomph. It's difficult to get the best out of yourself in those conditions."

"I'm not going to do a Basil Fawlty, I don't think it would help the situation, but it's been a long old year. The mechanics have put in a lot of effort so far and we've not given them much hope."

Walkinshaw made unflattering comparisons between Hill and Pedro Diniz, a teammate notable mainly for the £6.5 million transfusion of sponsorship income that he represents. Tellingly, he also seized on the central theme of collective responsibility.

"At the beginning of the season, we had reliability problems," he said, "but, during the course of the year, that unreliability has been shared 50-50 with the drivers. At Magny Cours, one of them [Hill] went off the road unaid-

ed and the other spun off a couple of times on his in-lap. Give me a break. I hired Damon as world champion to drive this team forward. I respect his admission that, on reflection, he's been struggling to get himself into gear, but he has to do what we are paying him for."

Hill is by no means an unsaleable commodity. Walkinshaw insists an engine deal for 1998 will be in place by the end of August, but he is likely to face competition for Hill's services from teams such as Prost, Sauber and McLaren.

However, the driver has also to face uncomfortably fresh realities. Salaries are likely to be depressed in a buyers' market and his manager, the London lawyer, Michael Breen, is still far from enjoying universal respect in

the obsessively introspective world of the Formula One paddock.

Eddie Jordan, the team owner, whose completion of an engine contract with Mugen Honda was a severe blow to Arrows, summed up the prevailing doubts about the wisdom of Hill's career development.

"What I can't understand is how it took Damon six hours from start to finish to agree his deal with Tom," he said. "That was such a critical decision. He'd spent 15 years pushing his way up to world champion and to take that sort of decision without a night's sleep seems unwise."

Jordan, of course, wanted Hill to drive one of his cars this season. In Formula One, it is always best to examine the ulterior motive.

TIMES TWO CROSSWORD

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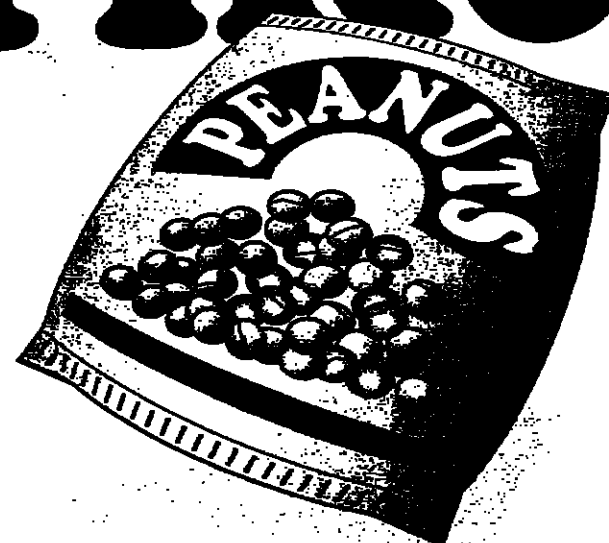
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- ACROSS
- 1 1300s plague (5,5)
 - 9 A natural wearing (6)
 - 10 Kingly (5)
 - 11 Ornit. jump over rope (4)
 - 12 Protect. sort of jam (8)
 - 14 Low-budget film (1-5)
 - 15 Early spring flower (6)
 - 18 Invisible to audience (3-5)
 - 20 Late Yugoslav dictator (4)
 - 22 Dirty mark (5)
 - 23 Building (7)
 - 24 Liverpool region (10)
- DOWN
- 2 Animal's retreat (4)
 - 3 Andean vulture (6)
 - 4 Insultingly small (8)
 - 5 Loss of temper (5)
 - 6 76-year visitor to sky (7,5)
 - 7 MND fairy (12)
 - 8 Masquerade cloak: tile for game (6)
 - 13 4 level of pay (8)
 - 16 Reviewer (6)
 - 17 Way out (6)
 - 19 Styliness: sounds like dress signal (5)
 - 21 Breeze: curt (4)

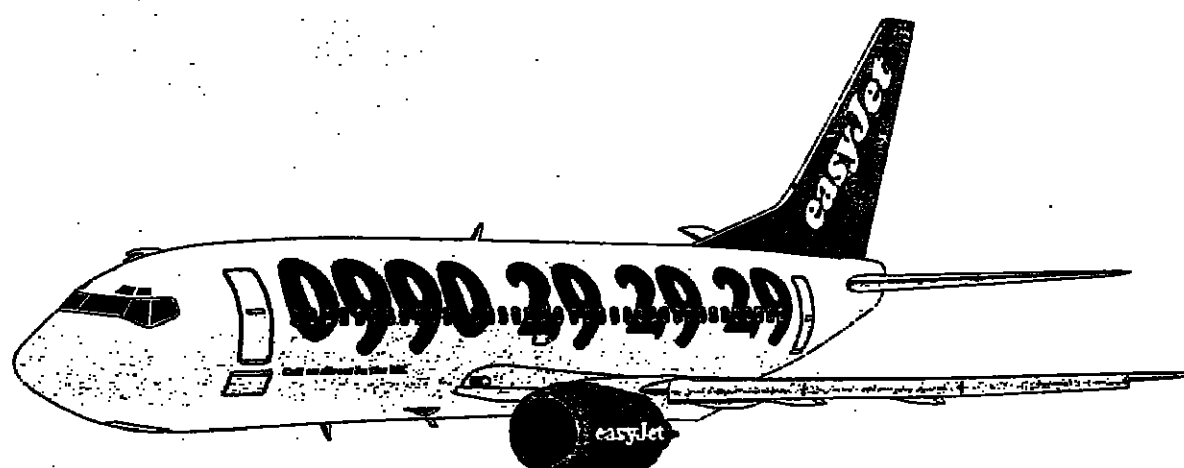
The solution to 1142 will be published Wednesday, July 16

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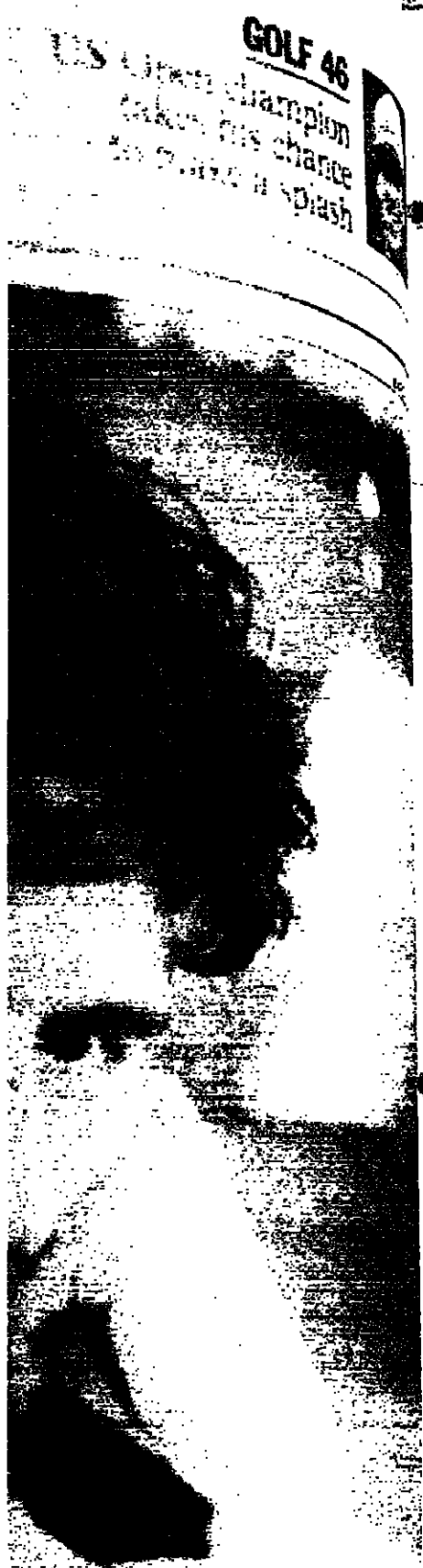


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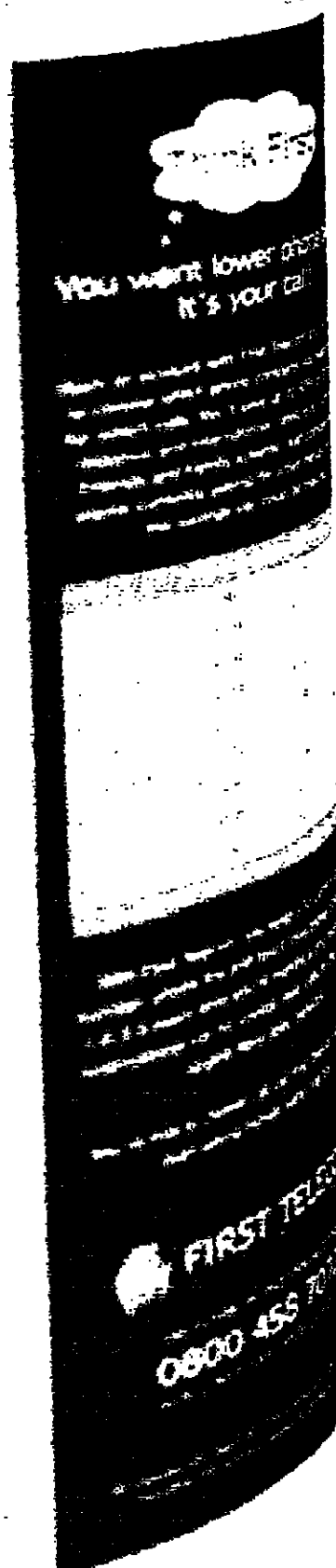


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Britain urged to cancel arms sales to Jakarta

By DAVID WATTS

ROBIN COOK met the first test of his new "moral" foreign policy last night when he faced demands that Britain cancel all current agreements to supply arms to Indonesia and freeze further contracts for up to five years.

Facing the Foreign Secretary across the negotiating table was the co-winner of the 1996 Nobel Peace Prize, Jose Ramos-Horta, who travels the world demanding the withdrawal of Indonesia's occupying force from East Timor.

He wants cancellation of delivery of any further British Aerospace Hawk jet fighter-trainers and renunciation of the contracts under which they have been purchased. British firms supply the Indonesian military with a vast range of equipment from helmets to armoured personnel carriers to radar and software.

After meeting Mr Cook, Mr Ramos-Horta said he had won an assurance that arms exports to Indonesia would be stopped if there was evidence of their use for internal repression. Mr Cook said they had had a good discussion.

The Government is reviewing arms sales policy and expects to be able to announce its conclusions by the end of the month. Until then, the Foreign Office declines to speculate on what it might contain but it is difficult to see how current private sector contracts could be renounced without retaliatory legal action. It is understood that the



Ramos-Horta: test for Labour's moral policy

Foreign Office has drawn up a list of feasible and impracticable measures from which the final selection will be made.

"I believe his arms policy review will meet our expectations," said Mr Ramos-Horta of Mr Cook, whom he met several times before Labour came to power. "I agree we should not single out Indonesia, but we do need a code of conduct which Britain can lead the European Union to adopt in line with the recommendations of the Nobel Laureates Commission."

In America - under foreign military sales agreements which are normally government-to-government - Washington can delay or withhold delivery under the guise of national security concerns. Jakarta has recently refused to accept a batch of F16 fighter jets whose delivery had been

embargoed because of Congressional concerns about Indonesia's rights record.

Mr Ramos-Horta had already reaped the benefit of the Labour Government's new stance, persuading Clare Short to channel all government aid for the territory direct to the recipients, rather than through Jakarta, at a meeting earlier in the week. He hopes that Britain will persuade its EU partners to change tack on both arms and aid in line with the United Nations stance under its Secretary-General, Kofi Annan.

Mr Ramos-Horta's meeting with Mr Cook comes against the background of a strengthened Indonesian military presence in East Timor and what is believed to be growing "East Timor fatigue" among Indonesian government officials. Most agree, however, that there will be no change in policy so long as President Suharto is alive.

Mr Ramos-Horta senses a sympathetic mood in the US State Department and says the British Government is on the verge of a new era of world influence with its stance on arms sales.

"Britain is the only country that can play a pivotal role in advancing a new moral and ethical approach in the Security Council," he said.

So convinced is he of the British potential that he will soon establish a new Nobel Laureates' Commission office in London with a \$1 million budget.



A recent picture of David Alex, the Timorese guerrilla leader. There were protests at the way he was brutally handled by Indonesian forces after his arrest

Top war crime suspects to tighten security

By MICHAEL EVANS

THE first snatch operation against war crime suspects by the Nato-led Stabilisation Force (Sfor) raised the inevitable question: who is next on the list?

There are 76 people indicted by the International Criminal Tribunal for the Former Yugoslavia in The Hague, now including Milan Kovacevic after his arrest in Prijedor yesterday.

Until the dramatic operation in Prijedor, only nine of those indicted were in custody in The Hague. With the arrival of Mr Kovacevic on a plane from Bosnia, there will now be ten. Another has died of illness since being arrested.

Since the mandate for the Sfor troops has not changed, there will still be no direct search for those indicted for war crimes. Under the Dayton peace accord rules, troops are allowed to detain those on the list if they come across them in their normal duties.

After yesterday's arrest and shooting, the best known on the list will be even more cautious about their personal security, although some have been openly flaunting their freedom. One of the alleged war criminals lives in a house in Banja Luka, not far from the British Sfor headquarters.

Radoslaw Karadzic would be the most difficult to arrest because he is aware of the risks he faces and never travels anywhere without a substantial armed bodyguard. He lives in Pale and has, until now, avoided Sfor checkpoints. A new bodyguard was yesterday outside his home in Pale, the former ski resort above Sarajevo, that is his power base. At least 20 policemen were manning the barrier at the entrance of Dr Karadzic's drive. Several wore bulletproof flak jackets and carried automatic weapons.

"Who told you he's in?" one asked angrily. "He's not here."

At the former engine factory which is now the Republika Srpska's civil service, soldiers on the gate said they also had not seen Dr Karadzic, who visits the government, every day, probably via a "secret track" in the nearby forest. He and General Ratko Mladic, the former Serb Army com-

mander who lives at Hans Pijesak, the Bosnian Serb military command centre, are charged with genocide for the slaughter of up to 6,000 Muslim civilians in Srebrenica. They are also accused over the siege of Sarajevo and using United Nations peacekeepers as human shields.

Nineteen Serbs were charged with atrocities at the Omarska concentration camp near Prijedor, including Zeljko Meakic, the camp commander who is indicted on charges of genocide.

Mr Mrksic, Miroslav Radic, Veselin Sljivcanin and Slavko Dokmanovic, four Yugoslav Army (JNA) officers, have been indicted on charges of killing 261 non-Serbs, rounded up at the hospital in Vukovar, Croatia. Mr Dokmanovic was arrested and brought to The Hague recently.

Another high-profile war crime suspect who has been indicted and will now be more wary of Sfor patrols is Milan Martić, the former rebel Serb leader in Krajina, who has been charged with ordering cluster bomb attacks on Zagreb, the capital of Croatia, which killed at least seven civilians.

So far, the only successful prosecution has been against Dusan "Dusko" Tadic, who was convicted of crimes against humanity against Muslims and Croats at the Omarska camp. He was arrested in Germany and transferred to the tribunal in April 1995. He is awaiting sentence.



Tadic was convicted of crimes against humanity

Americans gave Indonesia the green light to seize territory



INDONESIA took advantage of a messy civil war in East Timor in the wake of the Portuguese withdrawal to move in and annex the territory (David Watts writes).

With American power on the verge of being expelled from Vietnam, and Indonesia only 10 years on from what was billed as an attempted pro-communist coup, the United States and Britain were in no mood to countenance a new and potentially unstable south-east Asian state.

Henry Kissinger gave Jakarta the green light for the operation. A large army and naval force moved into what was a backward territory which Lisbon had done little to advance in almost 500 years of colonialism.

The Indonesian Army crushed all opposition, later annexing the territory in a move which has never been recognised by the United Nations. A small insurgent group of the tough and largely Catholic East Timorese has never yielded to their occupiers

despite massive Indonesian investment in what Jakarta terms a province. Jakarta's extensive efforts at trying to win the population over and massive transmigration of ethnic Javanese to try and change the balance of the population have not had the required effect.

The Bishop of Dili, the Rt Rev Carlos Ximenes Belo, in his speech accepting the Nobel Prize with Jose Ramos-Horta said that about 200,000 of the pre-war population of 700,000

had died from war and starvation. Continuing brutality against the population of East Timor brings the problem back into the world's headlines regularly. Recently the capture of David Alex, a Timorese resistance leader, and his brutal handling by the Indonesian military, has again brought negative publicity for the Jakarta Government.

There are indications that Indonesia has moved fresh reinforcements into the territory.

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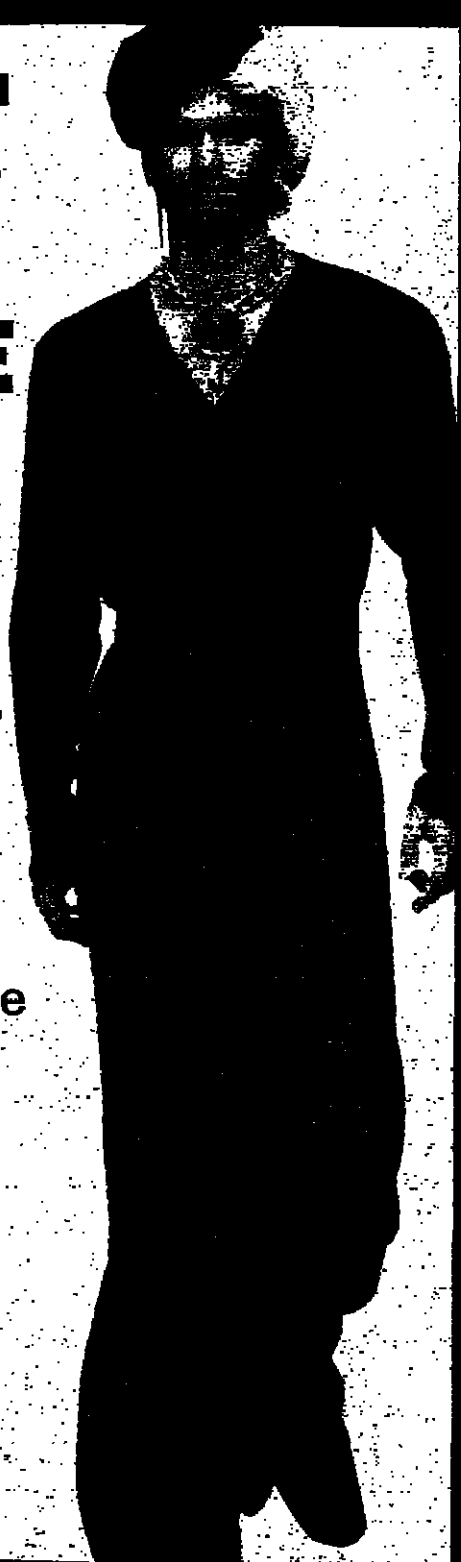
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Bosnia snatch ends in storm of SAS fire

Former police chief stood no chance once he had made the fatal mistake of shooting at the advancing soldiers

By MICHAEL EVANS, DEFENCE CORRESPONDENT

OPERATION Tango, involving a platoon of between 20 and 30 SAS soldiers backed by American helicopters, began at 9.15am. The troops were guaranteed the one ingredient they needed, surprise.

Neither of the two Serb targets was aware he had been indicted secretly as a war criminal and both were going about their normal business. They had no reason to suspect an operation against them because, since the arrival of the Nato-led Stabilisation Force (Sfor) last year, they had lived openly in Prijedor and had never been detained by the multinational soldiers.

Milan Kovacevic, director of the Prijedor Hospital and former mayor, went to work as usual, and Simo Drijaca, formerly the town's police chief, was on his way to a fish restaurant situated in the town's outskirts.

Their movements had been watched ever since Sfor was told by the International Criminal Tribunal for the Former Yugoslavia in The Hague that the two men had been indicted for war crimes.

The authorities had only recently passed the "sealed indictment" to the Sfor headquarters in Sarajevo.

The arrest of the two men became the responsibility of the British Sfor troops because they were living in the southwest section of the peacekeeping mission which is commanded by Major-General Angus Ramsay.

It was a job for the SAS, which has been operating in Bosnia-Herzegovina in some strength, probably up to 100 troops during the most tense periods. The role of the men is to run long-range reconnaissance missions, gathering intelligence for the Sfor commanders. They are known euphemistically as joint commission officers.

They are more heavily armed than other troops, but for yesterday's operation they were dressed like any other peacekeeping soldiers: combat dress with the Sfor insignia.

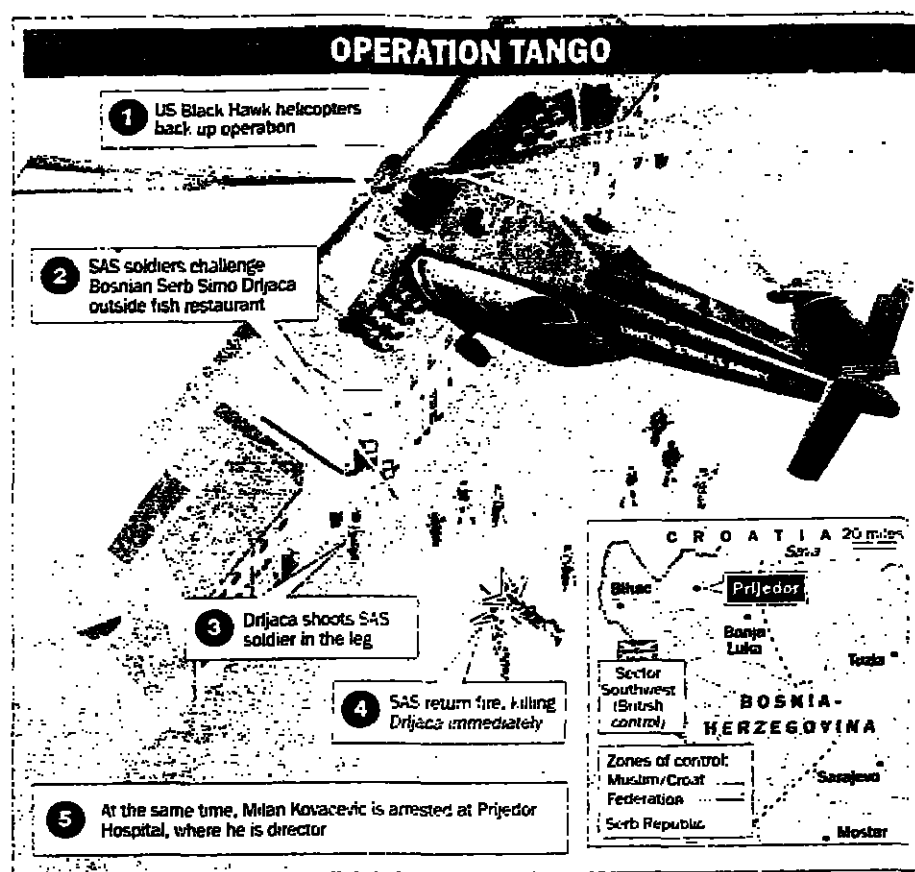
The platoon split into two groups, one to arrest the hospital director, the other to grab the former police chief. The Americans provided logistic back-up with Black Hawk helicopters.

Operation Tango was completed by 9.30am. The first mission went ahead as planned without incident. Mr Kovacevic, alleged to have been responsible for the delivery of prisoners to the Omarska concentration camp near Prijedor, was unarmed and went quietly when the SAS men challenged him at the hospital.

However, Mr Drijaca, his brother-in-law, made what



A British Nato soldier guards self-propelled howitzers yesterday near Prijedor, site of the SAS operation. The troops were guaranteed surprise, the one ingredient they needed



Man behind Serb reign of terror

By MICHAEL EVANS

THE "ethnic cleansing" operation by Bosnian Serbs against Muslim and Croat inhabitants in the northwest town of Prijedor between April 29 and December 31 1992, gave warning to the peacekeeping forces, then under the command of the United Nations, of the "savagery that was to be characteristic of the four-year war."

Prijedor today has hardly changed since the Serb warlords and their heavily armed soldiers burnt the Muslim and Croat houses, raped the women and killed out the defenceless population. Hundreds, possibly

thousands, were slaughtered at Serb-run detention camps near Prijedor, the most notorious of which was the Omarska camp.

Many of the houses are still burnt-out shells and the only improvement in the daily lives of those still living there, 98 per cent of whom are Serbs, is that the shops are better stocked.

The "ethnic cleansing" in Prijedor became synonymous with the pictures of starvation and brutality that were presented to the world from behind the barbed-wire fencing at Omarska, a former iron ore plant.

One survivor from another camp called Keraterm, a

former tile factory, reported that up to 160 men had been shot dead after being compelled to sing Serbian nationalist songs.

Those who were not driven out of Prijedor applied in their thousands to leave the town for safer areas. Most of the Muslim families who survived sought sanctuary in Sanski Most, about 40 miles away. The Serbs who lived in Sanski Most swapped their houses for homes in Prijedor.

Today, Prijedor is the second biggest town in Republika Srpska and Sanski Most is in the Muslim-Croat Federation.

The Muslims and Croats who were taken from

Prijedor to the detention camps were beaten and tortured. There was one gruesome report that two Muslim prisoners were forced to bite each other's genitals.

During the "ethnic cleansing" and genocide of Muslims and Croats in and around Prijedor, Simo Drijaca, the Serb shot dead by SAS soldiers yesterday, was police chief. He boasted of how he led Serb paramilitary gangs who drove local Croats and Muslims from their homes at gunpoint in a reign of terror. He was also involved in setting up the detention camps in the Prijedor area, including Omarska.

Action boosts Clinton policy

FROM BROWNE MADDON IN WASHINGTON

NATO's sudden strike against two alleged Bosnian war criminals was greeted with relief by the White House yesterday, coming after months of frustration in which the United States urged its allies to arrest those responsible for atrocities.

American troops were not directly involved in the move, which marks a step up in aggression by the peacekeeping forces, Sandy Berger, the National Security Adviser, said yesterday.

The Pentagon refused to comment on whether the US would now put pressure on Nato to hunt down those accused of the most serious crimes: Radovan Karadzic, the former Bosnian Serb leader, and General Ratko Mladic.

Yesterday's move eases the Clinton Administration's tortuous attempt to sell its policy of commitment to Bosnia to a

hostile Congress, by suggesting that Nato may finally make some progress towards creating the stability which would allow American troops to withdraw.

Recent hints by President Clinton and Madeleine Albright, the Secretary of State, that US troops might have to remain in Bosnia beyond the stated withdrawal date of next June have been greeted with fury by members of both parties. The hints, such as Mr Clinton's remark that "America will not disappear in a year", were prompted by the slow progress towards the Dayton peace accords, in particular the arrest of war criminals.

But Congress is opposed to any steps that might put American troops more at risk, even if they advance the cause of peace. The House of Representatives voted last month to enforce the June 1998 pullout date, although the decision may have only symbolic value as the Senate is

unlikely to enforce that line. But the debate highlighted the strength of feeling. Dana Rohrabacher, a California Republican, asked: "Whose nutty idea is this to send Americans into the meat grinder called the Balkans?"

Yesterday's announcement suggests that after months of ducking the issue of war criminals, Nato forces are prepared to act. But unless followed by the arrest of more senior figures, it may not buy Mr Clinton more support.

The Bosnian question could also jeopardise Mr Clinton's efforts to win congressional support for Nato's eastward expansion. This week's Madrid summit fanned opposition to it. Critics cite the extra cost and risk to troops' lives. The 20 outspoken Senate critics of Nato expansion hope to use any extension of the Bosnia pullout deadline to argue that troops could be dragged into never-ending commitments.

THE SUNDAY TIMES

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Pressure grows on Moi with threat of strike

FROM SAM KILEY IN NAIROBI

KENYA'S Opposition yesterday vowed to step up the pressure on President Moi with a general strike later this month and a national day of mourning for 14 people killed in demonstrations this week.

Richard Leakey, the secretary-general of the Safina party, said he expected a "mass, mass turnout" in Nairobi's Uhuru Park at a church service for the victims of clashes between police and pro-reform demonstrators.

Among the reforms being demanded is the right to free assembly. This week's gatherings, which defied a ban on unlicensed meetings, were savagely broken up by Kenyan police, who were internationally condemned for their brutality. But Dr Leakey said he expected the Government to allow the church service to go ahead.

"The momentum is certainly being maintained," said the conservationist-turned political activist.

Perceiving Dr Leakey's party as a major electoral threat, Mr Moi has refused to register Safina, which means it cannot take part in Kenyan politics. The refusal has been bitterly criticised by the British and American Governments.

Demands that Safina should be allowed to be regis-



Leakey: rabble will take over if reason ignored

tered have been ignored for the past two years by a President who, analysts say, is wary of Dr Leakey's popularity and the widespread belief that Safina might be able to unite a badly split Opposition into a front to depose the ruling Kenya African National Union.

Yesterday riot police were withdrawn from Nairobi's street corners, where they had been battling students since Monday. But the return to calm came too late for tour operators, who said they had experienced "enormous numbers of cancellations" because of the unrest. Kenya earns most of its foreign exchange from overseas visitors to its coast and game parks. About 40,000 Britons travel to the former British colony each year, but the number is likely to drop dramatically in the next few months.

Dr Leakey said that many opposition leaders, including 11 MPs who were teargassed and beaten when police invaded Nairobi's All Saints' Cathedral, were "very afraid" of government attempts to silence them. But he vowed to continue his fight for registration, the freeing of Kenya's airwaves and other reforms.

"We will try to have the 14 coffins of those killed this week in Uhuru Park, and then we can explain how the dead became martyrs. There is no chance that we are going to ease off on the pressure."

He offered Kenya's President an olive branch by suggesting that, if Mr Moi agreed to a national constituent assembly that would draft a new constitution for the country, many opposition figures would agree to extend the presidential term beyond the end of this year. "If the voice of sensible leadership is not allowed to be heard, the rabble will take over," he said.

Letters, page 23



Japanese landslide kills 19 villagers

Harihara, Japan: Tons of mud and rocks swept over this southern Japanese village as residents were asleep yesterday, killing 19 people after a mountainside, loosened by recent earthquakes, collapsed during torrential rain.

Two residents of Harihara, where orange-growing is a key activity, were missing and 15 were in hospital after a landslide just after midnight buried homes roof-high in mud, rocks and trees. Nearly 1,000 rescuers, including soldiers,

dug through debris in the village in Kagoshima prefecture on southern Kyushu island, 600 miles southwest of Tokyo. But fears of another landslide curtailed the operation. "I've never seen such a disaster," said Tatsuro Suga, the Governor of Kagoshima, at the place where the village had stood.

Harihara was buried under an estimated 260,000 cubic yards of debris, a volume that rescue workers said would fill 16,000 large trucks. Triggered by four

WORLD SUMMARY

Kim 'plots blitzkrieg on Seoul'

Seoul: A Pyongyang defector claimed yesterday that Kim Jong Il, the North Korean leader, had rejected reform in his hunger-stricken nation and was plotting a lightning war against the South as his only escape.

Hwang Jang Yop, a Communist theorist before fleeing to Beijing in February, conceded he had no proof for an earlier claim that the North could launch a nuclear attack, but said: "The North's war preparation is beyond imagination."

In the meantime, the World Food Programme, a United Nations agency, was intensifying its efforts to save tens of thousands of North Korean children from starvation by launching a new appeal for \$46 million (£27 million) in food aid. (Reuters)

Volcano isle aid

London: Britain promised another £6.9 million in emergency aid for the residents of Montserrat, living in the shadow of an erupting volcano, while the Government considers easing restrictions on their entry to Britain (Glen Owen writes). About £6.5 million is being earmarked for an emergency shelter to house residents, with a further £450,000 intended for the temporary hospital on the island.

HIV jailing

Helsinki: Steven Thomas, 36, a rap singer from New York who is HIV-positive, was jailed here for 14 years for knowingly spreading the virus that can cause Aids. He had unprotected sex with 17 women in Finland while knowing he was an HIV carrier. Each of the five who became infected was awarded £34,000 damages. (AFP)

Sikh arrested

New York: Police have arrested a man known as the "Sikh Godfather", charging him with fraud, extortion and the murders of several Indian immigrants (Tunku Varadarajan writes). Gurmeet Singh Dhillon, 35, who arrived penniless in New York in 1984, now owns 51 petrol stations and a waterfront mansion in Brooklyn.

Pet obsession

New York: A woman who pierced the ears of her pet lawn, making it wear cross-shaped earrings, was charged with cruelty by police in Virginia (Tunku Varadarajan writes). Ed Clark, president of the Virginia Wildlife Centre, described the ear-piercing as "the absolute worst kind of human interaction with wildlife".

Segregated buses anger feminists

FROM CHRISTOPHER WALKER IN JERUSALEM

ISRAEL, pioneer of respect for women's rights in a region where they are often ignored, announced plans yesterday for sexually segregated buses in ultra-Orthodox districts of Jerusalem and the Tel Aviv suburb of Bnei Brak.

The decision infuriated many secular Israelis who said that it was another example of the erosion of life being eroded by politicians from the religious parties, who now hold 23 seats in the 120-seat Knesset and whom many Jewish leftwingers brand as "ayatollahs".

The system whereby women will enter and sit in the rear of the buses — the main form of public transport in Israel — was recommended by a committee appointed by Yitzhak Levy, Transport Minister and a member of the National Religious Party which commands a critical nine seats in the ruling coalition of Benjamin Netanyahu.

The Jerusalem Post reported: "Although men and women are to sit separately, there is to be no physical division between them. In addition, no passenger is to be forced to enter through the front or back door."

A furious reaction came from Rachel Ben-Zion, legal adviser to the Israel Women's Network. "This decision is illegal and goes against one of the main principles of the state of Israel, equality," she said. "It is degrading to women and the fact that they call it voluntary is a trick."

"These *haredi* (ultra-Orthodox) communities will not tolerate women who opt not to participate in the new system. And by turning a blind eye to segregation on the buses, the Government is condoning it. We are going to demand that the ministry either stop subsidising the bus companies or that they end this segregated service."

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THE BIG NETWORK

Mars scientists wide-eyed at panoramic view of rolling landscape



A PANORAMIC 360-degree view taken with an elevated camera above the Mars Pathfinder lander shows the rough Mars terrain that the Sojourner rover will attempt to reach in the next few days. The black and white "monster pan", with the rover in the centre

foreground, shows all three petals of the lander, the deflated airbags and ramps to the ground. The picture is the first full version of the image taken from the camera's maximum height, just short of 6ft. Using computer enhancement to remove distortions, the

Martian rock nicknamed Flat Top came into much better focus. Photographs now show that what was thought to be flat actually undulates with hills, vales, ridges and ramps. The enhancement also showed that a nearby rock, nicknamed Yogi, has a light, vertical

stripe and a dark fracture. Nasa says the Pathfinder is sending Earth a "firehose of data" that will help to reconstruct the geologic history of the Red Planet. "This is unbelievable," Matthew Golombek, a project scientist, said of the data - five times as much as

planners expected. It could take years to derive meaning from the information being returned to Nasa's Jet Propulsion Laboratory. The latest image shows a 1,200ft peak 20 miles away that scientists hope to use to track the haziness of the Martian atmosphere.

Also photographed is a long, low crater rim a few miles from the rover that may offer clues to what happens when an asteroid hits Mars. "There's a lot we can do at a distance," said Peter Smith, who leads the team using the camera. "The science is just beginning." (A7)

Shell cleaning up act for Ogoniland return

FROM DAVID ORR IN BORI, NIGERIA

LESS than two years after the execution of Ken Saro-Wiwa, the human rights activist, and eight fellow campaigners, Shell is preparing a return to the oil-rich enclave of Ogoniland in southern Nigeria. The world's largest oil company says that if everything goes according to plan, it could be back in Ogoniland by the turn of the century.

"We're working on healing the wounds," said Victor Dania, a Shell spokesman, in the oil city of Port Harcourt.

The Anglo-Dutch oil giant withdrew from Ogoniland in 1993 after attacks on staff and damage to equipment. The campaign against Shell was led by Saro-Wiwa, who claimed Shell polluted the environment and conspired with the Nigerian Government to deprive the Ogonis of oil wealth which should have been theirs.

Saro-Wiwa and eight others were hanged in November 1995 after what was widely regarded as a show trial. Nigeria was suspended from the Commonwealth and diplo-

matic sanctions were imposed on the military regime. As a result of continuing rights abuses, Robin Cook, the Foreign Secretary, has said Nigeria should not be readmitted to the Commonwealth.

Shell, which was accused of not having done enough to save Saro-Wiwa, admits it handled the affair badly. "We did as much as we could have for the Ogoni Nine," Mr Dania said. "But we should have been more active in telling the world about our point of view."

In a belated effort to woo the

Ogonis, Shell is offering to clean up oil spills in the area and to increase its assistance to the inhabitants. It is planning to spend nearly £500,000 on community and environmental projects this year.

Though Ogoniland accounted for only 3 per cent of Nigeria's total oil production, the enclave is still considered by Shell to be sufficiently rich in high-grade crude to justify a return. Shell's daily production of nearly a million barrels of oil in Nigeria is worth £500,000 to the company.

Shell says it has recently

reopened negotiations with Ogoni representatives, among them members of the Movement for Survival of the Ogoni People (Mosop) founded by Saro-Wiwa in 1990. But a spokesman for Mosop, which has been banned by the Nigerian Government, denied there had been any contacts.

"Shell is indirectly supporting a military clampdown in Ogoniland," he said. "We will only talk if the marginalisation of the Ogoni people and their problems are addressed."

The 400-square-mile Ogoniland enclave (about the size of the Isle of Wight) is patrolled by a military task force and people speak of continual harassment.

"We're afraid to talk openly," an Ogoni chief said during a clandestine visit to the area. "You can't mention the name of Ken. If you did, it would be prison or death."

The chief said an oil spill in 1994 had polluted his village's water but that Shell had neither offered to clean it up nor to pay compensation.

Torture video viewed

TONY LLOYD, a Foreign Office junior minister, and seven Commonwealth ministers yesterday watched a horrific video of Ogoni people being beaten up by police and soldiers on orders from the military Government of General Sani Abacha of Nigeria (writes Michael Binyon, Diplomatic Editor).

The secretly filmed video

also showed torture victims and incidents of government bribery and corruption. It was part of a submission to the eight-man Commonwealth Ministerial Action Group, which began hearings into the Nigerian Government. Mr Lloyd is expected to urge Nigeria's continued suspension from the Commonwealth and oil sanctions.

Yankees fans flock to see Osaka Ox torment the Tigers

FROM TUNKU VARADARAJAN IN NEW YORK

THOUSANDS of New York-ers flocked to the Yankee stadium in the Bronx last night to pay homage to their newest cult hero, a Japanese baseball player called Hideki Irbu.

Irbu, a pitcher, was making his Major League debut for the New York Yankees and there can hardly have been a more hyped first appearance.

Before arriving in New York, Irbu had never played baseball outside Japan, where standards are considerably lower than those in America. Yet so vast is his talent that George Steinbrenner, the irascible owner of the Yankees, was determined to get him at any price. He got him, in fact, for \$12.8 million (£7.6 million), not astronomical by baseball standards.

Irbu, it transpired, had always dreamed of playing for the Yankees. When his Japanese team, the Chiba Lotte Marines, traded him to the San Diego Padres against his will earlier this year, he went on strike. "I play for the Yankees or I play for no one," he said.

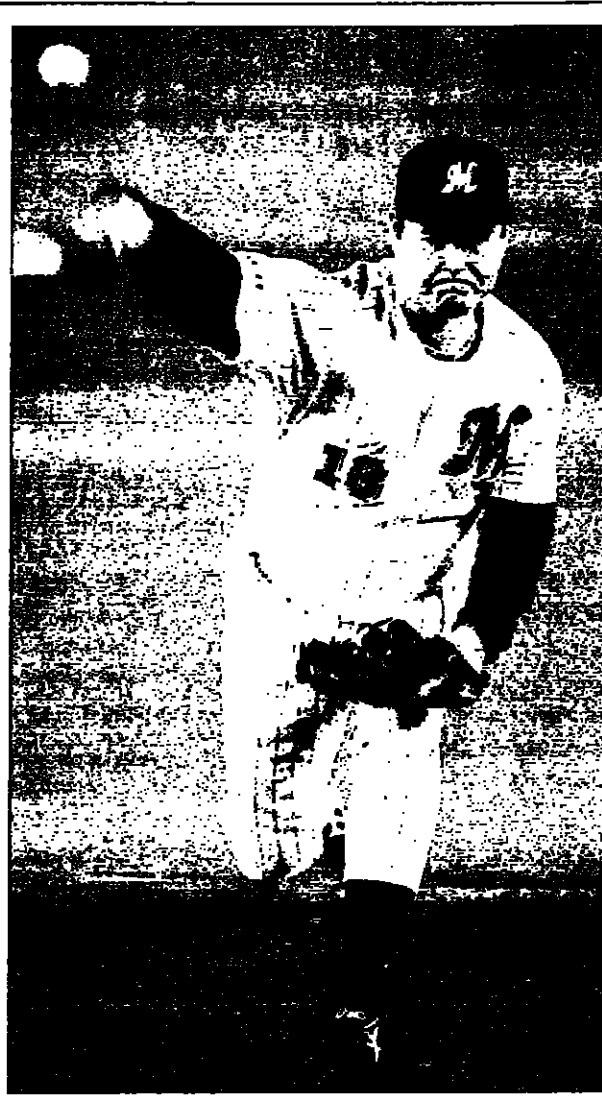
Irbu is arguably the fastest

pitcher in the world, and some of his deliveries have been recorded at 100mph. His thick neck and barrel chest have led people here to call him the "Osaka Ox". Recently, when told of the nickname, Irbu broke into a broad smile of approval.

Although Irbu speaks no English he has had little trouble so far in communicating with his new team-mates. He has developed a special rapport with Joe Girardi, the Yankees' catcher (akin to a wicket-keeper in cricket), who is his biggest admirer on the team.

Irbu, however, is treading a thorny path. Scarcely any Japanese players have made the daunting transition to Major League, although Hideo Nomo, a pitcher with the Los Angeles Dodgers, has been an outstanding success.

There is no doubt, though, that the Osaka Ox has electrified the Big Apple. As he hurled his "curve-ball" yesterday at batters from the Detroit Tigers - and bowed courteously to applause - the stadium resounded to a single chant: "I-ra-bu, I-ra-bu".



100mph Japanese pitcher Hideki Irbu in action

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'All my keepers are here - poachers will have a field day'

Jane Shilling among the sturdy backwoodsmen who braved London

I say, has anyone been to Lancashire? "No, simply can't find it anywhere. I was just off to Gloucestershire, are you coming?" "Darling, darling, God, I haven't seen you since we were in *short knickers*." Tantiy, tantiy. "How marvellous, this really is a classless affair, isn't it?"

Mmm, yes and no. It is fair to say that if a bomb had fallen on Hyde Park yesterday, the country's entire gene pool of blue eyes, fair hair and good English complexions would have been wiped out. Clustered beneath balloons marked with the names of the ancient shires of England, the backwoodsmen and their

wives, splendid in sensible skirts, their fingers loaded with filthy diamond rings, had gathered in alarming force. "Most of you," intoned the well bred voice from the main stage, "will never before have attended a demonstration. For some, it will your first ever visit to London." Now that was certainly true. Gazing at the acres of Hyde Park, most uncharacteristically covered in shooting sticks and picnic blankets and stout chaps wearing venerable hats decorated with bits of fur and leather which had once been attached to some small creature, you realised that all these people were far too busy attending point-to-points deep



This was no place for the squeamish sensibilities of metropolitan in-betweens. Wisely, perhaps, those who didn't care for the sound of John Peel's horn seemed to have stayed away.

in the crevices of rural England even to contemplate negotiating the exhaust-choked thoroughfares of London. Unless it was a matter of life and death. Which, of course, it was. Mainly death.

"The Countryside Rally. I Was There, 10th July 1997," claimed the little badge we were each given at the entrance. Below it, there was a tiny, tasteful illustration of the various elegant ways in which the denizens of the countryside put an end to the lives of their fellow-occupants of field and stream and spinney and hedgerow — a huntsman and hounds; an angler; a falconer; a silhouetted figure with shotgun and labby. No pictures, curiously enough, of furtive figures with spade, sack and struggling badger, or four-wheel-drive vehicle groaning with out-of-season corpses — though those country pursuits that lie nearer to the heart of Eddie Grundy than Mr Facey Romford were definitely at the forefront of some minds. "Brought all my keepers with

me," said one anxious landowner. "Big mistake. Bloody poachers will have a field day."

As a gentle rabble-rouser issued an ominous warning to the Prime Minister — "You will find yourself presiding over a Disunited Kingdom" — of the dire consequences that would follow the removal of an Englishman's sacred right to slaughter anything that takes

'Have you seen what can happen to a cat when it is thrown to the hounds?'

hounds, Mr Blair would have been as horribly out of place in this *galère* as poor Jeremy Irons discovered himself to be. His opening gambit, "Two months ago, to the great relief of many of us, the Labour Party was elected, with a massive majority," was greeted with a ghastly silence from the crowd, which had otherwise shown itself wonderfully disposed to cheer — even raising a loud *Hip Hooray* for a not wholly inspiring ditty in praise of Country Sports. (There are country sports of all sorts to fill our leisure days. Developed over centuries to blend with nature's ways.)

A startling manifestation of the alliance between the people

who own the land and the people who work on it (as Lady Redesdale once put it: "I know lots of the working classes, and they are all perfectly sweet"), this was no place for the squeamish sensibilities of metropolitan in-betweens. Wisely, perhaps, those who didn't care for the sound of John Peel's horn seemed to have stayed away. Except for one brave lady who accosted us: "Have you seen what can happen to a cat when it is thrown to the hounds?" she demanded, crossly of my companion, a serial and unrepentant stag-murderer. "Very unfortunately," said he, with all the considerable charm at his disposal, "I never have."

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Shopping for pleasure, not duty

Hot guide for a cool summer



I can see only one reason why passengers are urged to arrive hours, if not days, before their holiday flight departs — to ensure that they have ample time to squander money in the duty-free arcades.

In the brave new world of airport shopping a delayed take-off is a source of delight: a flight postponed, a shopping opportunity gained. The scope of duty-free purchases is simply too varied to waste time doting in uncomfortable seats — instead we rush off to buy a Glenfiddich baseball cap or a table-top camera tripod we never realised we needed until we saw it in the departure lounge.

There can be few Britons who are not now in possession of the smart violet and green BAA Bonus Points card, which enables the duty-free shopper to collect "valuable points" for everything from tax-free shopping to car rental.

Duty-free has moved on from the 200 Stuyvesant and a litre of Scotch era and, as with everything, there are smart and not so smart ways to treat the duty-free shopping experience.

Despite what the *Tatler* says, middle age still exists. I know because I have seen it wearing socks and sandals, shopping carefully at duty-free liquor and tobacco shops. The classic middle-aged duty-free purchase is a pouch of pipe tobacco and a large bottle of cheap gin (to keep bar expenses in check at the Hotel Costa).

Keen students of tax-free shopping mores have also learnt to identify the nouveau executive traveller. So intoxicated is the modern middle manager by the luxury of Club Class travel, not to say the complimentary beers in the Club Class lounge, that he is moved to sample a bit of the high life for himself. He duty purchases a small tin of Sevruga caviare, mainly so he can

ostentatiously stow the distinctive carrier in the overhead locker. Perfume is another cunning trap for the business traveller. Arriving at the airport after a three-day marketing trip he realises he has not bought his wife anything and spends five hectic minutes dazzled by a polychromatic array of fragrances, before purchasing the obligatory Chanel No 5.

But these are the unenlightened duty-free shoppers: people who have not yet realised that the entire point of travel is to sample other duty-free

cultures. Forget exotic tea ceremonies, plains of thundering wildebeest, the gilded roofs of Far Eastern temples or the sights and sounds of far-flung bazaars: these are widely available on BBC2. Instead luxuriate in a world of discounted luxury brands.

Among my most treasured travel memories are "designer" cigarettes, including the Trussardi fags I once saw at a duty-free shop on the Slovenian border. Then there were the denizens of Mariell I spied at a duty-free shop in the Far East, big enough to have

contravened even the most relaxed cabin luggage restrictions.

The Far Eastern duty-free shop is also the focus classic of brands of Scotch stored in such exotic vessels as porcelain golf balls. When it comes to duty-free spirits there is a tip for Tory backbenchers: who wish to impress prominent members of the Far Eastern arms purchasing community: bypass the bottle of cask-strength Glenfiddich 12-year-old single malt and head straight for the super premium blends. Johnny Walker Blue Label and Chivas Regal Royal Salute may seem expensive, but be assured, there is nothing your average warlord likes more than a tumbler of Blue Label before signing a lucrative order.

However, the duty-free world is not without its moments of bathos. Having heard much about the splendours of Dubai duty-free, I experienced only disappointment when I descended into this subterranean mall. I did, of course, purchase a few gold knick-knacks, set by weight, but even the faded prize draw for a motor car seemed lacklustre and only found favour with a bunch of corpulent German dentists.

However, occasional anticlimax has to be put in perspective. The world can offer few more perfect moments than the unexpected pleasure of coming across just the right ashtray in the delightful Hermes shop at Nice airport or the thrill of finding a box of Cohiba Robustos in the excellent humidor at Geneva.

In an increasingly hectic world there can be few more happy combinations than a delayed flight, a well stocked tax-free shop and a long line of credit.

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'It felt like living in a museum'

When her brother-in-law died, Jane Percy became a reluctant duchess. But she has now found a new role by recreating the lost world of the English garden at Alnwick Castle

It will be two years in October since Harry Percy, the 11th Duke of Northumberland and grandson of the Queen, was found dead in his private apartment at Syon House, Isleworth, from an overdose of anphetamine. A playboy and dilettante, he was the opposite of Ralph, his more introspective younger brother.

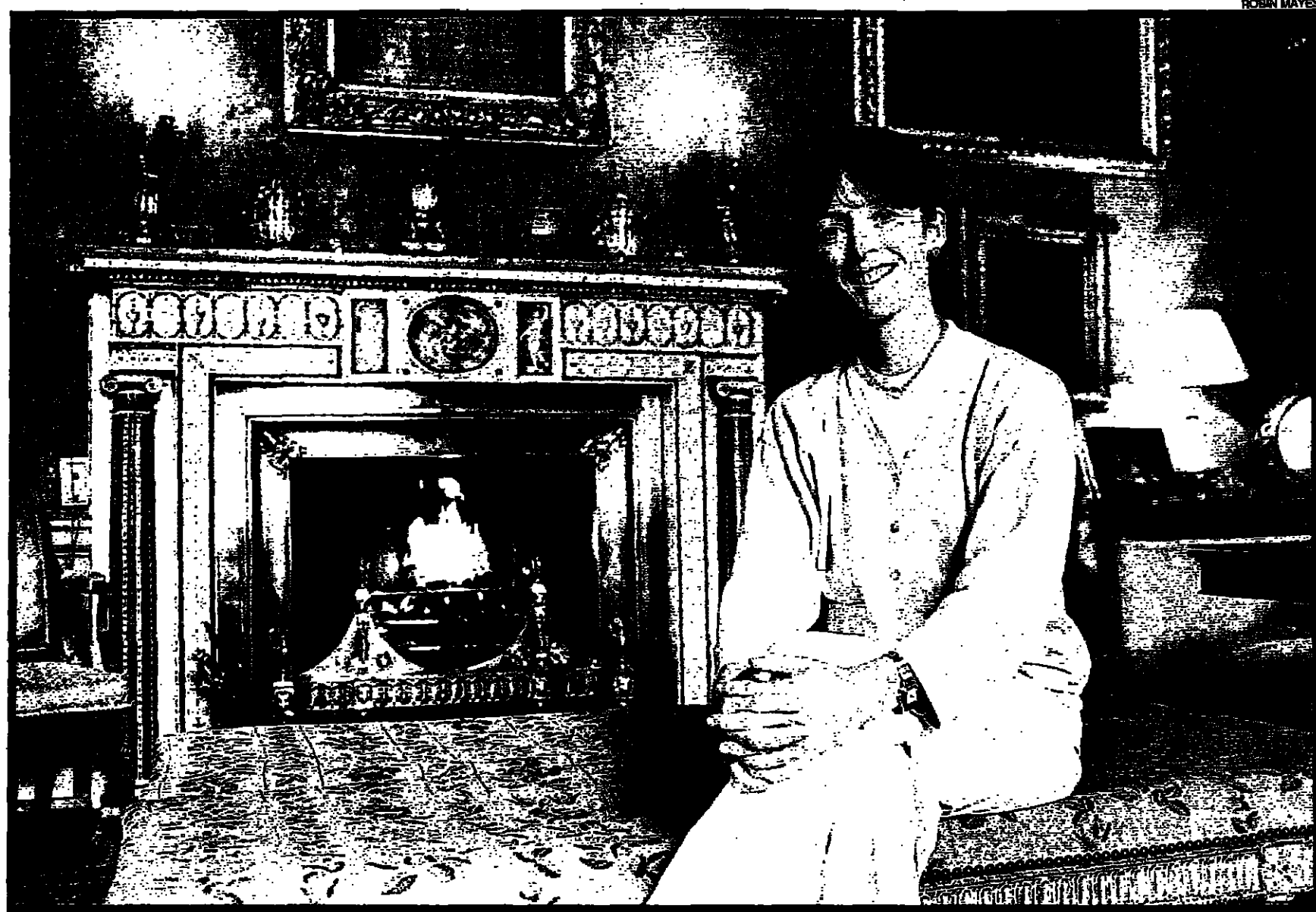
Ralph is the present duke, and the transition to that status was, one feels, shattering. He and his wife Jane are a reticent couple, enjoying the remoteness of Alnwick Castle, the ancestral seat set in 90,000 acres of rugged countryside in Northumberland. Inheriting one of the finest estates in Britain under such traumatic circumstances was a "bewildering experience", the duchess admits. Suffering from depression and ill-health, the late duke — 42 when he died — had lived a precarious life, drawing on his extravagant personal wealth to indulge a fascination with film and Hollywood. A keen partygoer, he played Europe's celebrity circuit, his girlfriends included the Nicaraguan actress and former Bond girl Barbara Carrera, and Valerie Campbell, mother of the troubled supermodel Naomi. Despite the excesses of his lifestyle, his family was unprepared for his death.

"My brother-in-law was terribly miserable most of the time," says Jane. It is unseasonably wet and she huddles next to an open fire in the drawing room of Syon House. "He had been ill for more than 20 years [he was thought to have had ME] but his illness was not life-threatening. So his death came out of the blue. He just took too many pills. My husband never expected to inherit the title, although we thought our eldest son, George, might one day."

The prospect frightened George. "He would come home from school and say children were ribbing him about Harry," she says. "He'd say: 'I never, never want to be a duke'. I'd say: 'Don't worry, Uncle Harry is going to live into his eighties and will have children late in life.'"

"Then when Harry died, George was awfully upset. He couldn't bear the thought of inheriting the title. So I said: 'This changes nothing. I want you to work hard at your studies and have a normal family life.' But really it was a terrible shock for us all, and very difficult."

The duchess says her husband was close to his brother, even though they were utterly different. Harry lived in London while his brother enjoyed country pursuits and ran the family firm, Northumberland Estates. "They were good friends. Harry had a strong sense of duty; he cared about Alnwick. He appreciated having Ralph, a much quieter countryman, to look



The Duchess of Northumberland: finding a worthwhile role in the recreation at Alnwick Castle of an old English garden with pavilion and water features

after the estate — to do, I think, what he always wanted to do himself. He had acute depression. One week he was fine, the next he was feeling awful. This led to a real conflict in him..."

Her voice trails away; she pours some coffee. Aged 39, Jane is delicate and fine-boned, dressed casually in a white T-shirt, V-neck sweater and trousers. In the grand drawing room, with its ornate furniture and imperious copies of masterpieces by Holbein and others, the relaxed informality of her dress seems incongruous. Ralph, on the other hand, is an anxious, patrician figure.

The couple met at a party in Northampton during their late teens. Both shy, and both uncomfortable with the frivolities of

society parties, the attraction was immediate. "We are both incredibly antisocial, and neither of us wanted to be at the party," Jane recalls. "We were avoiding things, standing in a room which was full of ice for the drinks. We chatted and then decided it would be quite nice not to be there. So he gave me a lift back to the place where I was staying. And that was it."

They continued seeing each other while living in Oxford. He was at university; she was attending Hartwell House secretarial college. When they married, Jane Richard was 20 and Lord Ralph 21. She is the first duchess in the family to come from outside the aristocracy (her father was an Edinburgh stockbroker), and the marriage, at first, was opposed by



Jason Cowley

the Percys, whose ancestors include Harry Percy the Hotspur of Shakespeare's *Henry IV*. "There was resistance," she says. "My parents were going through a nasty divorce at the time and they were preoccupied with their own

problems. Ralph's mother and father thought we were too young, and that we weren't serious. But we were determined to get married, so we put an announcement in the paper."

Jane told her mother about the announcement the night before it was due to appear. "A mass panic followed. My father-in-law came round the next morning and tried to persuade us not to marry. He said to Ralph: 'Look, you're only 21. Is this wise? Where are you going to live, what are you going to do?' Ralph said: 'It doesn't matter. We are going to do it.' When they realised we were deadly serious, they accepted us."

After the death of Harry Percy, the Northumblands moved into Alnwick Castle. But they expected

to return to their Georgian farmhouse on the estate — where their two sons and two daughters felt most comfortable — after grappling with what the duchess calls "the problems at the castle". In the event, those difficulties were greater than they imagined, and they were forced to stay on at the castle. The situation caused intense anxiety. "For the first year it felt a bit like living in a museum," she says. "It reminded me of places I'd seen in Russia, places that were once filled with people, music and dogs but which were now desolate."

"We were always a tight family unit and I wanted to be there for my children to emphasise the importance of discipline, hard work and responsibility." To ease her transition to a new, more

demanding way of life, the duchess was given responsibility for recreating the lost world of the great English garden at Alnwick. Jane surprised everyone, not least the duke, by the tenacity and diligence with which she tackled her role.

The scale of her ambition is startling. There is nothing for which she has not planned. Responding to a suggestion from the Prince of Wales, patron of the project, she even had media coaching. She says: "When the project was launched, and we were having our picture taken, I said to Prince Charles: 'I hate doing this. I hate it.' He turned round and told me to get professional advice on how to present myself and how to answer tricky questions."

What did she learn? "Oh, that I should think before I speak. I know that I have something fantastic to sell and that I could blow it by saying just one stupid thing," she says. What she is selling is nothing less than the opportunity for sponsors to share in her vision for Alnwick.

The new garden will include a 12-acre contemporary plot, a pavilion and waterworks, in a Capability Brown setting, in the shadow of the medieval castle. There will be cascades, waterfalls, pools, and miniature canals.

Working with her are some of the world's most remarkable garden designers and architects, including Tadao Ando, the Japanese architect whose favourite medium is concrete and glass, and Louis Benech, who worked on the restoration of the Royal Gardens at the Tuileries in Paris. These experts do not come cheap: the estimated cost of the project is £10 million, of which the family is intending to contribute "about a quarter".

Surely, though, a family with an estimated fortune of £100 million ought to pay for the entire project itself?

The duchess listens patiently but counters with: "People don't understand that you can't just take, say, a Canaletto off the wall and sell it. These pictures and this furniture are not ours to sell [they are held in trust] and £10 million is an awful lot of capital to find. The garden will be shared, too — with the people of Northumberland. It's a public project."

The duchess is not a reactionary. She is adapting to the role given her and is neither daunted by the burden of history, nor in thrall of the past. "What I plan is not simply a restoration but a complete recreation of a great English garden in a contemporary design. It's my dream to do something extraordinary at Alnwick, which will be a lasting achievement admired by generations to come."

End of the road for the Oddfather

Vincent Gigante's trial in New York has put an end to the power of the old-style Godfathers, reports Barry Wigmore

The old man sits in a wheelchair, mouth open, jaw slack, staring vacantly at the white marble wall behind the judge — a stern, bald man with bushy grey brows.

A parade of witnesses, some of the most ruthless killers in America, moves across the stained oak floor between them, detailing a career of shakedowns, kickbacks, drugs deals and murder.

Masticating soundlessly, the old man appears to hear none of it. He is Vincent "the Chin" Gigante, *capo di capo* of the Genovese crime family, says the FBI. This frail old man with the blank eyes is alleged to be the boss of

bosses in the New York Mafia, and this is the Mafia's last stand. Here, in Court Ten of the Brooklyn Federal Building, the Mob is going out not with a bang but with a whimper. Gigante, 69, is the last Godfather.

The New York papers call him "the Oddfather". For 27 years Gigante has dodged

murder and racketeering charges by pretending to be crazy, say US prosecutors.

The other kingpins — "Fat Tony" Salerno, Paul Castellano and John Gotti — are either dead or in prison.

Only Gigante was untouchable. He shuffled around Greenwich Village in a dirty old dressing gown, talking to himself. When he knew FBI cameras were watching, which was often, he would stop and urinate in the gutter. But was he crazy, or cunning?

Gigante's rise through the Genovese family was the model for Al Pacino's character in *The Godfather*. Forty years ago the Costello family was on top and its head, Frank Costello, was boss of bosses. But Vito Genovese coveted his crown, and Genovese had a new young accomplice eager to rise through the ranks.

On May 2, 1957, as Costello

walked into the lobby of his apartment building on Central Park West, a fat man in a black hat stepped from the shadows. "This is for you, Frank," he said, firing a gun. The bullet grazed Costello's head.

Gigante was identified as the man in the hat by the apartment doorman. A warrant was issued for his arrest, but he had disappeared. By the time he turned himself in, months later, Gigante had lost

weight and the doorman had lost his memory. Meanwhile, seeing how vulnerable their boss was, Costello's underlings joined the Genovese. Next day Costello retired and Gigante was a Genovese hero. In 1970 he was charged with



Gigante, arrested in his bathrobe

bribing the entire police force in the New Jersey town where he lived, to tip him off about FBI investigators. He beat the charge by pleading he suffered from a mental illness. He has been playing the fool ever since, say prosecutors.

In the bath holding an umbrella over his head, mumbling incoherently. Now he is on trial accused of racketeering and ordering seven murders. A judge decided last year that he was sane enough to stand trial.

By day, Gigante was acting crazy but, at night, it is alleged, he was dashing around in a chauffeured car masterminding Mob business. He read newspapers, chaired Mafia meetings, and counted money, say Task Force detectives who made a career of trailing him. He also managed to keep a wife and a mistress happy, string eight children by them.

In their apartments he switched from the grungy dressing gown to smart, clean bathrobes. But when an FBI agent entered the apartment to serve him with a subpoena, Gigante stood naked on them.

He got his name from the lantern jaw, reputed to be hard as concrete, for which he was famed in his early days as a boxer from the Bronx. In the Mafia his name was never mentioned; when referring to him underlings just pointed to their chins — another reason FBI eavesdroppers found it so difficult to nail him.

These underlings have Runyonesque names such as Benny Eggs, Salvatore "Sammy Bull" Gravano, and Big Pete Chiodo, who is in the witness box.

Chiodo, 46, was a Mafia heavy in every sense of the word. At 6ft 5in and weighing somewhere between 25 and 35 stone, he was a killer for the Lucchese crime family. He saw the light when the Mob tried to silence him, suspecting he was about to rat on them.

He, too, sits in a wheelchair, gut hanging down, between his knees, quaffing vast quantities of water as he talks in a flat, dead, voice about murders he has committed.

Gigante sits 20ft away, looking smart in blazer and Polo shirt that lawyers borrowed for him from his son, and with his hair greased back. Judge Jack Weinstein blew his stack and ordered him to smarten up after three days of wayward hair and stubble.

In the public gallery 15ft behind Gigante is his family — plain women wearing the brown and black of Italian peasants, and no jewellery. From the Fulton Fish Market to an annual charity festival in Little Italy, it is said the Mob raked in millions. No sign of it now.

No money. No power. No glory. Just an old man chewing the cud in a wheelchair as the Mafia bows out.

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Our prime ministerial moderniser

Ulster is a crucial test of Blair's rationalism, says John Lloyd

A mere 70 days have passed since Tony Blair became Prime Minister, and they seem to have made him a happy man. He sees his problems as solvable, his challenges as attainable and his strategy as right.

In a major speech tomorrow, he will repeat and refine the ideas he set out in his election campaign — his desire to see a Britain which is modern by equipping the economy for the future and encouraging enterprise; fair in giving greater opportunities to all and in reducing inequalities; and strong in the Government's ability to take clear decisions and push them through. He is as convinced of his rectitude and the soundness of his instincts now as he ever was.

The suspicions which many on the left harboured of him before the election have, in one respect at least, been confounded. He is not a socialist, nor is he a chauvinist, nor does he regard government as in any way a forum for furthering religious belief. On the contrary, he is relentlessly modern, modernist and modernising. It becomes clear that he sees Britain as a fine but dusty piece of furniture in need of cleaning and repair. The "modern" part of his triptych of qualities is the first and, to him, the most important: the standard by which the other two, fairness and strength, are tested. It is that which leads him to lend his support to the proposed ban on foxhunting; his desire to appeal to Middle England has its limits, and his instinctive shrinking from the arcane blood-rituals of the shires seems to be one of these.

How does such a rational, modernising man approach the crisis which has blown up in Northern Ireland? In the first place, he is fully and passionately engaged. But it is with the passion of the rationalist who can do no more than appeal to the parsons in the trenches to rise above their ancient feuds — as he did at Question Time on Wednesday. "It is appalling," he said, "that intransigence on both sides obscures the fact that the vast majority of people in Northern Ireland want and deserve the chance of a lasting peace there. It could be done if people would understand that. If it is to be achieved, it requires their commitment all the way through."

Mr Blair thinks that beneath the violence triggered by the Drumcree march last weekend, there is a peace process waiting to be restarted; that Sinn Féin is so split on tactics and so clearly cynical that it lacks even a residual attraction to the Irish or US Governments and is increasingly out of step with the wishes of constitutional nationalists in the North and the South. He thinks Marjorie Mowlam, the Northern Ireland Secretary, is little short of heroic and that she will succeed in weathering this storm. In his visit to Northern Ireland soon after taking office, Mr Blair gave a speech in which he pledged his fidelity to

the Union — "I am a Unionist" — and put any prospect of a united Ireland deep into the second part of the next century. He wanted to show the Unionists that they were understood: that the fear, amounting to paranoia, that the new Labour Government would sell the Union down the river was unfounded. At the same time he wanted to trade on his good relationship with President Clinton to keep America in the sympathetic posture it had adopted since it became aware of the complexity of the situation in Northern Ireland last year.

Mr Blair has taken what he believes is a revolutionary posture on Northern Ireland: that of saying what he thinks and meaning it. He does believe in the Union. He does believe that the trouble is caused by a tiny minority of people in both the nationalist and loyalist communities. He does think the memories, grudges and rituals are archaic and must be modernised, made transparent and democratic. He does think it possible to rise above the old hatreds, the inexplicable marches and the savagely guarded memories to get peace. He has said so, and will keep on saying so. Here, as in most areas of public life, his concern is to put the matter back to the people concerned and remind them of their responsibility to sort it out — "It requires their commitment".

Yet here is the curious thing. Mr Blair has said what he thinks on the Union and on the need for modernised politics in Ulster. But neither he nor Dr Mowlam has yet followed it through. He has given to the Unionists a huge reward: his commitment to the Union. But they have done nothing equivalent for him, nor does he seem to have extracted a quid pro quo. He has not pushed David Trimble, the Ulster Unionist leader, to commit himself to the steady creation of a non-sectarian Unionism on which the future of the Province as part of the UK depends — even though Mr Trimble would in most moods like to see such a development.

It is almost as if the Prime Minister lets frankness be his banner and his policy, and disdains to do the deals which his display of frankness would entitle him to make. It is as if he were saying: "I have said what's what; if others cannot see it, that is their loss." Modern, fair and strong. It is the Prime Minister's vision of his Government, his country and himself. He is wholly glossed in the task of giving the vision flesh. He retains, in these earliest days, his boyish looks and his boyish sense that openness, reason and good will will prevail. And if he fails? Well, he fails — but so does everyone else. So far, he does not seem to entertain a suspicion that he will fail.

John Lloyd is associate editor of the New Statesman. On Tuesday he was awarded the David Watt Memorial Prize for Journalism.

Close fit

BACKSTAGE at the Royal Opera House's final gala performance on Monday before it closes for two years of refurbishment will be opera bouffe compared with the teary adieux being made on stage. For the end of Covent Garden's chaotic, seemingly endless final year before closure, the opera singers' dressing rooms have been closed and they have been forced to share digs with the ballet dancers.

On any normal night, when the

rooms need accommodate either the opera company or the ballet troupe but never both, the arrangement is barely tolerable. The singers cannot stand all the dust left behind by the dancers' costumes and cosmetics, as it interferes with their vocal cords. When not required onstage they have been seen popping outside, sometimes to a local pub, rather than to their dressing rooms.

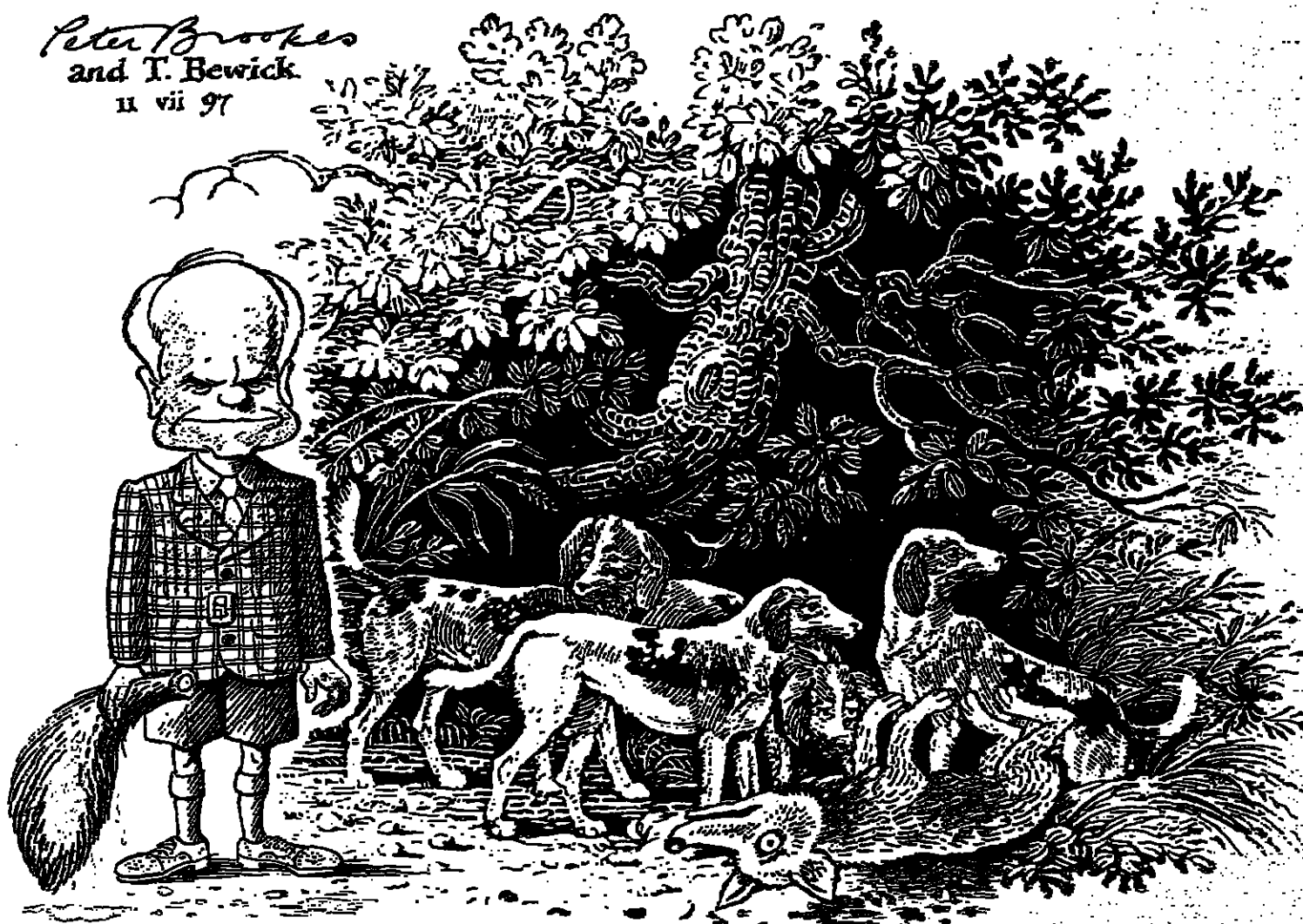
On Monday, however, the Opera House is providing a mixed bill of opera and ballet topped by Plácido Domingo and the ballerina Sylvie Guillem. They will all be squeezed into one set of dressing rooms. "It is a very difficult time," says a spokesman at the Opera House. "The ballerinas' dressing rooms here have always been dilapidated compared with those of the opera singers. They may find the circumstances particularly painful." Surprise guests are promised by the Opera House. In the light of the cramped conditions, the cast are hoping that the 17-stone Luciano Pavarotti is not among them.

Princess Michael of Kent's hopes of lightening her overdraft with



Sylvie Guillem: squashed

Peter Brooks and T. Bewick
11 vii 97



Blooding, or His First Outing.

Seeing is deceiving

Computers make media fakery easy. But where should we draw the line?

YOU ARE THERE... said the *Daily Sketch* of August 9, 1963, under a dramatic photograph, "as Balacava Robbery of All Time. They sprint away from Jack Mill's stranded diesel with £2 million. Slew across the road are the getaway lorry and cars. YOU ARE THERE..."

Er... with a reconstruction from the models in London's famous Gamage's Store. Ah well. At least *The Sketch* owned up.

Last Sunday afternoon and for the first time ever, I was unable to find any national newspaper in my local village shop in Derbyshire. There is no mystery about this. That morning the latest pictures of the surface of Mars, taken as the little rover Sojourner left the *Pathfinder* spacecraft, had become available. You could be the finest wordsmith in Fleet Street, but nothing sells newsprint like a good picture.

Silly, really. When I did see the pictures in Monday's *Times*, Mars looked much like the Algerian Sahara; if anything, rather less so. It was Mars. It really was. And the picture was worth a thousand words because it was the real thing.

Which brings us to the *Rhodesia Herald*. Cannot swear with hand on heart that what follows is true, but this was the story a fellow used to tell, before he died about ten years ago. His name was Eugene Wayson, and in the 1960s he worked as an editor on a daily newspaper in what was then called Southern Rhodesia.

I lived in Salisbury (now Harare) at the time and I think Mr Wayson worked at the *Herald*, although I cannot establish it for certain. He was, however, at the helm of a newspaper somewhere in Central Africa on the evening of July 18, 1968. The date is easy to fix because this had been the day on which the first close-up pictures of Mars had been taken from NASA's *Martiner* 4 space probe. The world was agog. Newspapers in Central Africa were lucky because time differences with the United States meant that the pictures, which were to be transmitted down the wires by Reuters, would with luck reach newspaper printing presses there just before the deadline for the next day's editions. *Rhodesian* readers would be among the first in the world to see the pictures.

But the timing was tight. The *Herald* was printed on an old-fashioned hot-metal press and you needed to plan. Trusting that Reuters would deliver when promised, Wayson had the press for the rest of the front page made up, leaving a big hole in the middle for the picture. This could be added at the last moment, when it arrived.

It did not arrive. The minutes ticked by. The lorries were waiting to distribute the paper across Rhodesia's huge distances, through the night. The editor began to despair.

Eugene Wayson was a huge man with a big weight problem. His life was a struggle with diets and slimming aids. For long spells he would dine on little more than Ryvita, cheese and whisky. As deadlines approached and passed, he slipped his whisky and contemplated sending out the paper with a big white space in the middle of the front page. He stared out into the African night and down at the King's Cross, littered with old supermarket trolleys and mattresses.

But we wanted to make it look like the North, and a problem arose: all the best angles included rail track behind me, and suburban trains which were obviously of a London type kept rattling past. So I just kept parroting my links, over and over again, until the right coincidence with an InterCity train which could have been near Liverpool, rather than London, occurred. Legit? Just about. I judge, just on the borderline. To the acceptable side of that borderline is a very common broadcasting practice called audio "wildtrack".

After recording, say, an interview in a garden, you record a further 30 seconds of tape without voices. This is in case silences need to be inserted when cutting the interview — silences which, with all their incidental background noises (birdsong, traffic noise) must sound real.

On the unacceptable side of the borderline I would place a practice I encountered last year when I had occasion to compare the treatment of the Dunblane massacre by two

evening television news programmes, one later than the other. In the first we saw pictures of friends and relatives outside the school, waiting for news. As the names of the dead came through, we heard a woman wail "no, no, no". Viewers could identify her in the crowd, distraught with grief as a teenage boy tried clumsily to console her.

For the later news, an editor must have decided that this picture was too intrusive. He did not, however, want to waste the dramatic soundtrack. So although the picture broadcast was, as before, of the waiting crowd, a new piece of footage in which no individual looked so agitated had been chosen. But against it was laid down the original soundtrack: "no, no, no".

What this programme-maker had done was, in effect, to use a bit of grief-stricken soundtrack as wildtrack, backing a different scene from that during which the cry had been uttered. I do not know why I find this so utterly offensive, but I do. The cry of a bird, however, at a point in an interview when no bird actually cried, seems unexceptional.

So how do you draw the line? No pressing moral dilemma faced the Editor of the *Daily Sketch*, because a toyscape from Gamage's was so obviously a temptation to pull wool over the readers' eyes did not present itself. When what is doubtful morally is also difficult practically, we are assisted to be virtuous. But the day of the coffee-break abortion is coming, and the day of the virtually real computer-assisted photograph has arrived already. This month, between editions, *The Guardian's* picture desk altered a photograph of Gordon Brown before his Budget speech, removing a mop of hair which obscured the view. After protests from sharp-eyed readers, the paper's Editor, Alan Rusbridger, admitted the change was misleading.

I cannot think of a single new moral question raised by any of the advances in knowledge and competence during my lifetime, but so many of the old questions have been focused and sharpened to an almost painful intensity. The application of computer technology to both printing and broadcasting offers the possibility of deception at the flick of a switch, the twitch of a mouse. Journalists are not growing more deceitful, but deceit is growing easier.

On the unacceptable side of the borderline I would place a practice I encountered last year when I had occasion to compare the treatment of the Dunblane massacre by two

Matthew Parris

Britain's dogfight with Kohl

David Hart tells the inside story of the Eurofighter

Chancellor Kohl and his Government have led the drive to closer integration in the European Union. They are also very keen on a European Defence Identity: current Brussels jargon for some kind of European military merger. Yet their performance as a leading partner in the most important collaborative military project in Europe, development of the four-nation EF2000 combat aircraft, has hardly been commensurate.

In fact, it has been lamentable. The British taxpayer has spent £2.7 billion on the project so far. Of that sum at least £500 million is a direct result of German Government equivocation, according to industry sources. More important, a competitive fighter is essential to our defence. Apart from the fundamental role of defending the British Isles from air attack, land forces can only be deployed into any theatre — for example the Gulf — if commanders can be reasonably sure of air superiority.

Today the German Cabinet is expected, six months late, to decide to commit the money for the production investment stage of the project. Even if it does so, it still has to convince the Bundestag by no means a foregone conclusion. If the Bundestag delays, the issue may get caught up in the German elections and be put on ice for another 18 months.

Since the beginning of the development contract, signed in 1988, the Germans have been equivocal. They failed to honour their commitment to provide full funding to the main German manufacturer, Daimler-Benz-owned DASA, which had to part-fund the project from its own resources. Then in 1992, Germany began formal proceedings to withdraw altogether.

In 1993 the Germans were persuaded to stay in by Malcolm Rifkind, who was then Defence Secretary, although they did not finally sign up to the revised arrangements until July 1995. The project had been saved, but it had also been damaged. Germany's attempt to withdraw led to a reluctance on the part of German industry to make progress on the programme at what UK industry saw as an appropriate pace. It also had a debilitating effect on thousands of subcontractors in all four partner countries.

A new "memorandum of understanding" was finally signed in 1995 to reflect German concerns, and a two-track approach agreed whereby Britain and Italy would take early deliveries of the aircraft in the year 2000, as opposed to the original date of 1998, and Germany would take later ones. The Germans tried to cut the number of aircraft they intended to buy from 250 to 140, while insisting on a share of the work that reflected the original number. Eventually they agreed to take 180 aircraft and to accept a 30 per cent work-share.

Part of the present difficulty in getting the German Government to commit to the production investment phase has nothing to do with the project itself. First, there is intense political rivalry between Volker Rühse, the German Defence Minister, and Theo Weigel, the Finance Minister. The EF2000 has become caught up in their political manoeuvrings. Then there is the clamp down on public spending by Herr Kohl so that Germany can meet the Maastricht criteria. That has led to intense pressure on defence spending.

Meanwhile, British industry wants to get on so that it can meet the export demand that will undoubtedly appear if potential customers believe that the aircraft is actually going to be produced. Already, despite the uncertainties, Norway, Australia and the UAE have expressed interest.

When I began to advise Malcolm Rifkind at the MoD in 1993, I was a Eurofighter sceptic. I had advocated ending the programme and a purchase of American aircraft instead. I knew that the Tornados, another collaborative project with the Germans, had been less than a success. I knew that much of Europe's military technology was at least ten years behind that of the Americans.

Above all, I knew that successive British governments had spent large sums of money buying "political" weapons, and I saw EF2000 in that light. I wanted to try to persuade the MoD to procure weapons on the basis of their military effectiveness and "competitive" cost, not because they happened to be made in factories in marginal constituencies.

I was wrong about EF2000. Once I was able to make a fully informed judgment at the MoD, it became clear to me that the aircraft would be a world-class fighter and that during the coming decade, only the American F22 would outperform it.

Air defence effectiveness is a function of availability, agility, speed, the ability to detect, to track, to lock on missiles and to maintain speed and height. The EF2000 is 40 per cent more effective than the F16 (Block 60), 34 per cent more effective than the F18E and 30 per cent more effective than the French Rafale.

If the German Government is serious about European co-operation, let alone integration, it could start by honouring its commitments to this project now, and keep on honouring them until it is completed.

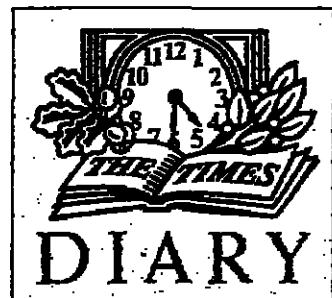


Kevin Spacey: over here

earlier this year and was so impressed that he decided to have a go himself.

"He'll be on the Equity minimum," said a press officer for the theatre, which is currently on a fundraising drive. "Like a lot of our actors here, he will help to subsidise the theatre." Jonathan Karr, the joint artistic director at the Almeida, said: "It's very satisfying that having taken two shows to New York, we should bring one of the most exciting American actors over here."

P-H-S



Coutts & Co. the Queen's bank, with a win at Newmarket ended in misery yesterday when her three-year-old colt Vain Tempest finished well down the field in the EMCOR handicap. "She looked pretty grim," said a racegoer.

Low rank

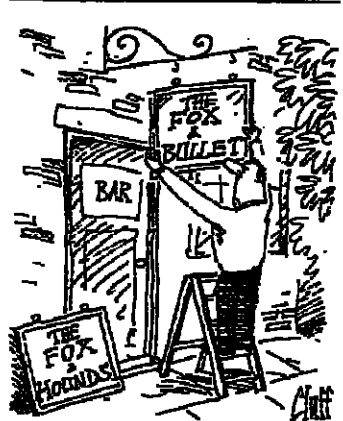
GLOOMY news for the Prince of Wales is contained in *Whatever It Takes*, by Elizabeth Drew, a new book about America's congressional elections last year. In March 1996, the Republican Party organised a private poll to measure the popularity of well-known figures.

The result put Newt Gingrich, the unpopular Speaker of the House of Representatives, below G. Gordon Liddy, the unrepentant Watergate conspirator, but above a

three-way tie at the bottom between Louis Farrakhan, head of the Nation of Islam, Rush Limbaugh, the right-wing radio "shock jock", and the Prince.

Hooked

BY WAY of separating the true country folk from the groupies at yesterday's Countryside Rally in Hyde Park, PHS compiled a quick index of countryside credibility by asking those present who had caught the largest fish. Into this poll must be added the exaggeration factor, fuelled no doubt by the spirit of defiance and the bracing renditions by Nicholas Soames.



MP for Mid-Sussex, of *Men of Harlech*.

Top of the league, unsurprisingly, was Soames, who boasted of a 28lb salmon caught on the River Nith in Dumfries and Galloway two years ago. Next came Michael Ancram, MP for Devon, with a 24lb salmon, then Tiggy Legge-Bourke, the former royal nanny, with a 21lb salmon. Jeremy Irons, the actor, was a surprise entry with an exotic 10lb tuna. Farther down, Michael Heseltine had caught a 7lb salmon while the king prawn was John Gummer, the former Environment Secretary. Although a keen supporter of field sports, he admitted he would not know the right end of a fishing rod if it came complete with maggots attached.

Cheap date

INSPIRED by the example of Ralph Fiennes, best-known for his role in the Oscar-winning *The English Patient*, another Hollywood star, Kevin Spacey, is to perform for Equity minimum rates on the London stage.

Best known for his role in *The Usual Suspects* and as the serial killer in *Seven*, Spacey has agreed to appear in *The Foxman Cometh* by Eugene O'Neill at the Almeida Theatre, Islington. He saw Fiennes in Chekov's *Ivanov* at the Almeida

ASLIPPER

Simon's

السلامة



AFTER THE PARTY

Now watch Nato governments quarrel about the bill

The cheers that greeted him in Poland yesterday will have strengthened Bill Clinton's conviction that history is on the side of Nato's decision to enlarge. But in choosing to address the Polish street party against the camera-friendly backdrop of Warsaw's Castle Square, the President had another audience in mind. Back in America, the Madrid summit marks the start, not the conclusion, of public debate on the wisdom of Nato enlargement and ratification by the US Senate cannot be taken for granted.

Madrid starts the transformation of Nato into something that Americans have yet to understand and may not support. The policy is vulnerable on two main grounds, risk and cost. The influential Senator Jesse Helms is already grumbling about this "new diluted Nato, converted from a well-defined military alliance into a nebulous collective security arrangement". In addition, trouble with America's allies is certain if Congress insists that the accession negotiations lay down a firm burden-sharing division of the bill for admitting the new members.

Typical of the duplicities surrounding this whole strategy is the silence about costs. At Madrid, British officials claimed that the impact on defence spending would be negligible; President Chirac said baldly that France would not pay a single extra franc for enlargement. Costings done in the US vary wildly, from the Pentagon's \$27.35 billion to the \$125 billion estimated by the Congressional Budget Office. But what is already clear is that the US intends Nato's European members to pick up all but about 6 per cent of the total. That means at least \$19 billion for West European Nato members and \$14 billion for the three successful applicants.

With regard to its existing Nato allies, the US has a strong case. America accounts for around 60 per cent of current Nato defence budgets, the gap in military capabilities is widening and the Europeans, Britain apart, have barely begun to build and equip the modern, highly mobile forces called for in Nato's new Strategic Concept. Some Nato members boast little more than paper armies; all are cutting spending. Enlargement merely makes modernisation more urgent. Since Nato forces are not to be permanently stationed on the new members' territory, effective force projection is imperative if a larger Nato is to retain its credibility.

But when governments are straining every fiscal muscle to meet the EMU deadline, they will strenuously resist US demands for firm commitments even on this count — let alone to help the huge defence conversion effort to make the new members' forces Nato-compatible. These arguments could fracture the existing Alliance; transatlantic quarrels can only make Europe's new democracies less secure.

Politicians may not find it easy to convey to their taxpayers, but money is, in fact, the least serious problem about Nato enlargement. If it offered the best prospect for peace in Europe, the means to this end ought to be found. But despite Nato's effort, through accords with Russia and Ukraine and the Partnerships for Peace, to create an overlap between Nato and non-Nato countries, no such guarantee can be given. Enlargement does not end dividing lines in Europe. It merely shifts them. In the words of one prominent US critic, it will build "a bridge into the 19th century", sowing distrust between "winners and losers".

When Mr Clinton arrives in Romania today, the news cameras he found so useful in Poland will focus attention on this awkward fact. He will be pressed to confirm an invitation to Romania for 1999. He will decline to be drawn, for the good reason that America flatly refused to Madrid to make any commitments beyond Poland, Hungary and the Czech Republic.

The proclaimed purpose of Nato enlargement is to create webs of security throughout Europe. What was woven at Madrid were webs of dissimulation. The formula that Nato is open to all, including Russia, is manifestly untrue; and the encouraging words about Romania and Slovenia in the Madrid communiqué were a smokescreen veiling disagreement between Nato's 16 current members, nine of which lobbied for the inclusion of these two countries.

America won its way at Madrid: Capitol Hill may prove a tougher proposition. As the arguments unfold, the Administration may find itself defending not only Nato's expansion but the need for Nato to exist in a post-Cold War world. The answer must be that Nato means a safer Europe and thus a safer world. Enlargement, a strategy studded with evasions and inconsistencies, makes that answer harder to give.

SPECIAL VICTORY

The SAS has risked its men for Bosnia's future

George Robertson spoke for the nation when he expressed British pride in the SAS operation mounted yesterday to arrest two indicted war criminals in Bosnia. As a piece of daring, it ranked among the most challenging operations that Britain's special forces have undertaken.

The operation came hard on the heels of the Nato summit, where all the talk was of snatch squads to arrest Radovan Karadzic and Ratko Mladic, the former political and military leaders of the Bosnian Serbs. These men must, indeed, be brought before the war crimes tribunal in The Hague: until those responsible for the atrocities committed at Sarajevo, Srebrenica and in numerous villages, no peace in Bosnia is possible. Unless the authors of the policies of ethnic cleansing and murder are brought to account, there can be no expiation of the crimes committed by the thousands under their command. The Bosnian Serbs would remain branded with collective guilt.

Locating and seizing the two men remains a formidable task, however, which was not helped by the loose talk at Madrid or the rising tensions in Republika Srpska as former fighters rally around their leaders. It is therefore all the more of a coup to have gone after two men who in their swaggering defiance believed they had escaped the consequences of past crimes. For just as Nazi leaders faced justice, so too did the commandants of Belsen and Auschwitz, the men who put into practice the policies of genocide. Sino Drijaca was the fanatical

Serb nationalist who ran the Omarska concentration camp, from where the vivid television footage first brought home to the world the depravity and human suffering of the Bosnian war. Milan Kovacevic, the director of the "hospital" that delivered prisoners to Omarska, was also rightly indicted and must stand trial in The Hague.

The British forces in Bosnia have been among the most effective of all the Ifor and subsequent Sfor troops. There are few other Nato allies with the training, discipline and, above all, will to carry out operations that could end in death. The French have the daring and the Americans the necessary technical support. But, rather conveniently, Prijedor falls within the British sector, and it fell therefore to Britain to put into operation this first demonstration of Nato's more aggressive policy on war criminals.

The SAS has sent two important messages to the Bosnian Serbs. The first is that the published list of some 75 people wanted for war crimes is not definitive: the sealed indictments contain the names of many more accused of equally heinous behaviour. No one with blood on his hands should think he can escape retribution. The second message is to Pale. General Mladic and Dr Karadzic may think that they are beyond the reach of Nato, and that in any case the Alliance lacks the will to attempt their arrest. Until now, it is true, the international force in Bosnia has interpreted its mandate with excessive caution. The mandate has not changed, but Nato's resolution has.

A SLIPPERY BUSINESS

Simon's shares must be sold

The intensity of Labour's attacks on Tory sleaze in the last Parliament demands a new Government whose ministers are as honest, visibly honest and dedicated as they can possibly be. It is disappointing, then, to see a Labour minister putting himself in a position in which he is both less effective than he could be and easily accused of conflicts of interest.

Lord Simon of Highbury, Minister for European Trade and Competitiveness, was chairman of BP until May 1. In order to join the Government, he gave up a salary of £874,000 a year. But he has insisted on retaining his holding of £2.15 million of BP shares. And he has not declared them in the register of Lords' interests.

Technically, he is allowed not to do so, but it seems an ill-judged omission, especially since his shareholding was already public knowledge. If he did not break the letter of the Whitehall guidelines, *Questions of Procedure for Ministers*, he surely has broken their spirit. Ministers are told that they are allowed to own shares so long as there is no "actual or apparent" conflict between their public and private interests.

Lord Simon has taken some trouble to try to ensure that this is so. He has promised not to trade his BP shares before January 1998.

His other shares are in a blind trust. He is not involved in any DTI or Treasury business involving BP and he does not see papers that relate to the company.

Other DTI ministers, such as Paul Channon and Michael Heseltine, have held shares in family companies, Guinness and Haymarket. But these were not businesses that spanned the UK economy like BP. Nor were they subject to such government regulation. If Lord Simon were to absent himself from anything touching his former company, he would be emulated in his job. That should suit neither him nor the Prime Minister: who successfully tempted him to take the job.

Yesterday Ann Taylor, Leader of the House, refused Tory calls for a debate on the issue. If she does not want it aired publicly, she would do well to look again at the matter privately. Lord Simon should sell his shares now and allow his stockbroker to invest the proceeds in his blind trust. When he leaves Government, he can buy the shares back.

This is not yet a question of sleaze. But it does no credit to a Government that was determined to be open and clean in all its dealings. Lord Simon would be a more useful minister — as well as a better symbol — were he to sell his shares.

Sleaze, the press and hypocrisy

From Lord Harris of High Cross

Sir, Once again, Simon Jenkins deserves high praise for a brave, lone voice, this time (article, July 5) against the "hysterical reaction" of the press to the vastly inflated Downey report.

The mighty *Guardian* can (almost) be forgiven for celebrating the triumph of its highly selective brand of investigative journalism, which was characterised by endlessly repeating Mr Mohamed Al Fayed's malicious allegations and exploiting Neil Hamilton's witness statement submitted to the court for the aborted libel action. But why should the rest of the media pack equally preen itself for indulging its crude taste for human blood sports?

One effect of Sir Gordon Downey's conscientious construction of a monstrous mountain out of many molehills is to bury two key factors. The first is that his verdict on those elusive envelopes turns on preferring the testimony of the unreliable Mr Al Fayed and his employees to that of Mr Hamilton — without the "independent corroboration" he insisted would have been necessary to support Mr Al Fayed's £1 million accusation against Michael Howard (report, "Howard cleared over Al Fayed bribe accusation", March 7). Having had the advantage of knowing the former MP for Tanton as a trusted friend since his student days 25 years ago, I would certainly require more robust evidence of serious wrongdoing.

The second feature is what may appear a surprising doctrine (paragraph 840, Volume 1) that, in some circumstances at least, the fact that an MP's actions in Parliament are not influenced by such a payment is irrelevant.

For anyone who knows Mr Hamilton's deeply held principles, that statement should immediately dispose of the witch-hunt against him. Thus it is clear that while his long, independent advocacy of competitive markets had earlier suited the purposes of Mr Al Fayed (as it had incurred the enduring animosity of *The Guardian*), there is no substance to the public perception cultivated by the media that the former MP and minister was led to act in Parliament or the Board of Trade against his own well-established belief.

The villain of the piece would seem to be *The Guardian's* favourite witness, Mr Al Fayed, who admits to stuffing pockets full of £50 notes with the deliberate, disreputable intention of breaching the resolution of the Commons in 1695 that:

the offer of money ... to any MP for the promotion of any matter to be transacted in Parliament is a high crime and misdemeanour and tends to the subversion of the English constitution.

Yours faithfully,
HARRIS OF HIGH CROSS,
House of Lords,
July 8.

From Mr Paul Smith

Sir, Simon Jenkins dismisses the Hamilton affair as having "little to do with the better government of Britain". As a council officer in a south London borough involved in developing partnerships with the private, public and voluntary sectors, I welcome the requirement to declare annually that I have engaged in no activities which will lead to, or be perceived to lead to, conflict of interest.

My manager and I conduct negotiations through focused, structured meetings, rather than lunches, and all awards of contracts are subject to thorough internal and external audit, to the benefit of everyone, especially local residents.

Perhaps Simon Jenkins could examine the chasm between what might be regarded as normal behaviour and monitoring in the two arms of government, national and local. That Hamilton's behaviour could be dismissed as irrelevant emphasises the need for urgent reform at Westminster.

Yours,
PAUL SMITH,
66 Haldan Road, E4,
put@psvd.demon.co.uk
July 6.

From Lord Pearson of Rannoch

Sir, Isn't it odd that we make such a fuss about allegations that a few backbenchers have been paid small sums of money to ask questions, when in most other countries ministers are bribed hugely to deliver answers?

Yours faithfully,
PEARSON OF RANNOCH,
52 Minories, EC3,
July 7.

Lacking energy

From Mr Nick Lear

Sir, It is so exciting to be one of the chosen. I was doubly excited by a letter from Smart Gas, informing me that my area has been chosen to test-market a revolutionary new gas central-heating system, and that mine was one of the families selected to join a customer monitoring programme. Sadly I will not be able to take advantage of this offer. To qualify, it seems, you must have a gas supply. This village has none.

Yours sincerely,
NICK LEAR,
Knowlands Farm,
Barcombe, nr Lewes, East Sussex,
July 8.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-762 5000

Quelling political protest in Kenya

From Mr Kenneth S. N. Matiba, Kenyan MP and Chairman of the Ford-Asili Party

Sir, Your leading article ("Thuggery in the cathedral", July 5) quite rightly challenges the Foreign Secretary, Robin Cook, to put into practice his promise to place human rights at the centre of Britain's foreign policy. The Kenyan people need him — and other world leaders — to reinforce their legitimate calls to President Moi for constitutional reform before it is too late.

It is true that the international community turned a blind eye to electoral rigging in 1992. It saddened many of us to read the Commonwealth report on the 1992 elections in Kenya which pronounced them to be "free and fair". Since that time Moi has presided over growing political and financial corruption in Kenya, the erosion of fundamental human rights, the loss of two lives, and a failing economy. Lives are now being lost in an attempt to stem this tide — a tide that will only change with a level playing field at the next election.

I look in envy at the freedom you enjoy in Britain to debate and enhance your own constitutional rights. I also look in envy at the freedom you have to participate in your own local and general elections, whether as candidates, party campaigners or voters. The Kenyan people, denied all these freedoms, continue to express dissent when they can. What would give more force to our calls would be Robin Cook's support.

Yours faithfully,
KENNETH S. N. MATIBA,
Chairman, Ford-Asili Party,
College House,
University Way, Nairobi,
July 9.

No winners in Orange march debate

From Mr Liam Paul Murray

Sir, Your assertion (leading article, July 7) that Ronnie Flanagan, Chief Constable of the RUC, "was acting in the best interests of Northern Ireland's nationalists" is a curious one.

The decision to allow the Portadown Orange parade to pass along the Garvaghy Road was justified on the grounds that it presented the least of two evils. Whilst we will have to wait and find out whether or not this is true, such an assertion can only be seen as confrontational by republican terrorists. In short, they are being told that they do not pose as serious a threat to public order as loyalist terrorists. The twisted logic with which terrorist organisations greet such reasoning should be borne in mind before decisions are made.

Yours faithfully,
LIAM PAUL MURRAY,
8 Darlington View,
Stewarton, Ayrshire,
July 10.

From Mr Hugo Charlton

Sir, The Orange Order must now accept that they obtained passage down Garvaghy Road because of the threat of violence, and the threats of murder by the Loyalist Volunteer Force (LVF) in particular. By taking advantage of the security climate resulting from such threats, they have publicly abandoned their claim to moral superiority over Sinn Féin.

Sunday's march may prove to have been an expensive outing when Unionists seek progress on decommissioning, as it is now clear what was always suspected — that, whether downed or not, both sides have guns under the table, and whoever sits round it will have to talk regardless.

Yours faithfully,
HUGO CHARLTON,
1 Waterloo Road, N19,
July 9.

BA strike

From Mr David T. Price

Sir, You report today that British Airways "wants to save £42 million". The largest contribution to BA's overall income is provided to customers by its staff, particularly by cabin crew. If savings of £42 million are required, may one ask why Sir Colin Marshall (chairman) and Mr Robert Ayling (chief executive) do not shelve plans to spend £60 million on a new corporate identity, including a "face-lift" for BA's aircraft (report, June 11; letters, June 13).

In common, I am sure, with many other BA customers, I am unmoved by pretty pictures on tailplanes but distinctly impressed by high-quality service provided by well-motivated staff.

Yours faithfully,
DAVID T. PRICE,
Natural Technology Ltd,
60a High Street,
Wargrave, Berkshire,
July 9.

UK economy

From Mr Douglas W. A. Blye

Sir, Mr Robert Young (letter, July 7) asks what is preventing the UK from emulating Hong Kong's economic performance. The answer in two words is: party politics.

Yours faithfully,
DOUGLAS BLYE,
Middlefield, The Street,
Goodnestone, Canterbury, Kent,
July 7.

From the High Commissioner for Kenya

Sir, Readers of your leader on Kenya might take the view that there are parallels to be drawn between recent events in Kenya and Northern Ireland. In both cases the law had to be upheld in the interests of the majority of the people — and the Government had to take difficult but firm decisions which led, perhaps inevitably and certainly regretfully, to sporadic violence.

We understand your position. Why is it so difficult to understand ours? Instead your leader adopts a style that can only be called inflammatory. To write that Kenyans see "little alternative" to civil war seems like an attempt to impose your own death wish on us. Fortunately it is a grievous misreading of the feelings of most Kenyans.

Secondly, to state that President Moi rigged the results of the 1992 elections flies totally in the face of the conclusions of international observers, including the Commonwealth Secretariat, who monitored Kenya's elections at that time.

The "fools or knaves" to whom you refer are obviously the 37 per cent of British companies with investments in Kenya which have declared their intention of increasing those investments "significantly" this year, according to a recent survey. I suspect that they have a rather more balanced view of the political and economic situation in Kenya — and a greater understanding of the potential that Kenya offers as the hub of a future East African common market.

Yours sincerely,
MWANENGELA NGALI,
Kenya High Commission,
45 Portland Place, W1,
July 9.

From Mr Neville Cooper

Sir, Given the explosive mix of emotions in Northern Ireland (letters, July 7 and 10), is not the only anchor for policy the rule of law? It is unlawful to block the Queen's highway. And, whatever the rights to march, it is unlawful, when doing so, to engage in conduct likely to cause a breach of the peace.

Whatever the consequences, is not a strict application of the law to all parties preferable to fomenting a competition between the factions for the most effective threats of violence to support their demands?

Yours truly,
NEVILLE COOPER
(Chairman), The Top Management Partnership Limited,
PO Box 10420, London W8,
July 10.

From Mr F. Laycock

Sir, In Captain Peter Kimm's impossible dream of tolerance and brotherhood along the Garvaghy Road (letter, July 8) is the seed of sense which all thoughtful persons from both traditions in Northern Ireland know must be allowed to germinate before peace can be established.

To expect a massive adjustment in attitudes of the sort experienced by Captain Kimm in his dream is, of course, very unlikely. It is possible, however, that Orangemen might find the public flaunting of their tradition and allegiance less necessary if nationalists modified an attitude which seems to be very close to that of a man who beats up his estranged wife to persuade her to live with him again.

Yours faithfully,
F. LAYCOCK,
5 Sussex Road, Dublin 4,
July 10.

Digital TV

From Mr Phil Woolas, MP for Oldham East and Saddleworth (Labour)

Sir, Your report, "Film boost threatened by skill shortage" (July 5), was spot on. The problem in broadcasting is even bigger. The advent of digital broadcasting, which is now only a matter of months away, will suffer unless urgent action is taken to ensure a ready supply of qualified college and university leavers.

Britain is poised to become the world centre of digital broadcasting. Both bidders for the new digital terrestrial TV franchise (reports, June 25) highlighted job creation as a major benefit — up to 125,000 jobs could be created, with electrical and manufacturing jobs on top, as the new sets come on stream. We must ensure Britain benefits. In areas like Greater Manchester the broadcast industry and its spin-offs will make all the difference.

The Department of National Heritage has no estimate for jobs growth and the University Funding Council is not preparing new places. We must not allow digital broadcasting to go the way of the hovercraft, etc.

Yours sincerely,
PHIL WOOLAS,
House of Commons,
July 5.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-762 5046, e-mail to: letters@the-times.co.uk

A Bill of Rights is not the answer

From Mr John Mackenzie

Sir, You report (July 5) that a Bill of Rights will be enacted by the end of next year, enabling people to seek justice in British rather than European courts for breaches of human rights.

I have been acting since 1990 for Alec Findlay, the soldier whose court martial was ruled to be in breach of the European Convention on Human Rights by the European human rights court, on February 24, 1997. The Findlay case, as it progressed through the European human rights commission and court, was the primary cause for the introduction of the new court martial system by the Armed Forces Act 1996.

The court based its decision on the convening of the court martial by a general officer who was also the prosecuting authority and who appointed as the officers to try the case five officers serving under his command, of whom the president was one of his staff officers. I have always understood that the objective to a judicial figure being judge in his own cause was a fundamental principle of "natural justice" and contrary to English law without having to consider the European convention.

In December 1991 the Findlay court martial was the subject of review proceedings in the Divisional Court of the Queen's Bench Division on exactly this basis. Senior judges held that the matter did not merit leave to apply for judicial review. Contrast this decision with the position of the UK Government when the Findlay case reached the European court. The UK did not seek to justify the court martial, implicitly conceding that the constitution of the Findlay court martial was indefensible.

The problem is not that the convention is not part of UK law. Most of the provisions in the convention are in English law in some form. The problem is the judges who go to great lengths to avoid disrupting state administration, particularly for some reason in matters involving the Armed Forces. A Bill of Rights is unlikely in itself to change anything, certainly not the number of applications to the court in Strasbourg.

Yours faithfully,
JOHN MACKENZIE,
Sherate, Caley & Co (solicitors),
54 Fleet Street, EC4,
July 6.

Hunting ban

From Mrs Mollie Woodbine

Sir, In saying "a ban on hunting ... changes forever the rhythm of rural usage" (leading article, July 10) you exaggerate the importance of country sports to the majority of country people.

I have lived in the country for nearly 20 years and get around my county quite a bit. The nearest I have come to a hunt is seeing an injured horse lying by the roadside waiting for the vet.

It would be Heaven help most of us if we relied upon the hunt to "bring rural communities together". We are brought together by individual hospitality and neighbourliness, parish council work, the annual village dance, carol service, harvest festival, etc. And some of us are even daring enough to venture into towns for evening classes, concerts, theatres and to visit our urban cousins.

Whether hunting is banned or not will make not one whit of difference to the "rhythm" of this country person's life.

Yours,
MOLLIE WOODBINE,
3 Ivy Cottages,
Roosthorne Village,
nr Knutsford, Cheshire,
July 10.

From Mr Nicholas Wibberley

Sir, It is absurd that hunting should be a national government issue. It would be better devoted to parish councils. Not only is that the level where it matters but it would revitalize community debate. No doubt hunting would be banned in Islington.

Yours faithfully,
NICHOLAS WIBBERLEY,
East Whiddon,
Landkey Road, Barnstaple, Devon.
whiddon@aol.com
July 10.

Red zone

From Mrs P. M. Perkins

Sir, "Mars rover rolls into action" after being "parked overnight" (report, July 7).

How long before mission controllers find it clamped — or stolen?

Yours sincerely,
P. M. PERKINS,
Bisley House,
Charlton, Malmesbury, Wiltshire,
July 7.

Space saving

From Mr Alfred Goldstein

Sir, \$266 million for 309 million miles to Mars (leading article, July 7) is about 50p per mile; quite a competitive transportation cost.

Yours faithfully,
A. GOLDSTEIN,
Kent Edge,
Crockham Hill, Edenbridge, Kent,
July 7.

OBITUARIES

COMMANDER CHARLES ECKERSLEY-MASLIN

Commander Charles Eckersley-Maslin, OBE, naval aviator, died in Tasmania on June 21 aged 66. He was born on June 13, 1931.

During Charles Eckersley-Maslin's exceptionally adventurous life, he served in all three Services as well as the Royal Irish Constabulary during the "Troubles" of the 1920s. But it was his career as an aviator that was particularly notable. He piloted more than a hundred kinds of aircraft, ranging from various marks of Spitfire, the Beaufighter, Martlet and Hurricane to much earlier aircraft.

In 1935, lying about his age, he enlisted with the 51st Argyll and Sutherland Highlanders under the name of Cameron, and he was soon in France. When he was wounded in the face losing several teeth, he was found by the under 17, and he was sent back to Bedford School, where he was treated with some awe.

Having passed for a commission but being rejected medically by both the Navy and the RAF, he did a year's medical study at St Thomas' Hospital before, in search of a more active life, joining the Royal Irish Constabulary as a driver. Stationed in Co Clare in 1939, "with the worst blackguards of the RIC - devout Catholics withal", Eckersley-Maslin drove a Crossley lorry and then a Rolls-Royce armoured car. That year saw a sharp increase in the number of IRA attacks on the police, and no fewer than 27 army battalions were deployed to Ireland, rising to 40 in 1920.

Eckersley-Maslin was twice blown up by landmines (being on the first occasion the only survivor of nine victims), and took part in several actions against the IRA in an increasingly violent and vengeful civil war. He was awarded the RIC's gallantry medal.

The RIC was disbanded in 1922 on the establishment of the Irish Free State. Eckersley-Maslin next went to Southern Rhodesia to join the British South African Mounted Police. Serving three years in Salisbury and Mashonaland, he was invalided out, having earned a mention in *The Lancet* for twice surviving blackwater fever.

With a Rhodesian passport, he joined the Royal Air Force on a five-year commission and was taught to fly at Abu Suir in Egypt. Here, partnered by another, older, Bedfordian trainee pilot with many medals, he succeeded in paying his mess bill for some months out of winnings at bridge.

Posted to Karachi and an army co-operation squadron, and seeking to amass as many flying hours as possible in his five years, he trained as a test pilot. This gave him opportunities to ferry aircraft all round India and, for example, test-fly the new Westland Wapiti in various climates. While in the RAF's 28 Squadron, he flew the First World War Bristol Fighter in artillery spotting and photographic roles. As the resident member of the Court of the Guild of British Empire Test Pilots at Karachi, he met many of the famous round-the-world flyers of the 1920s such as Amy Johnson and Sir Charles Kingsford Smith. One of his refuellers was "Aircraftman T. E. Shaw" who was seeking to turn his base on his fame as Lawrence of Arabia.

In 1932 Eckersley-Maslin rejected the offer of a further five years in the RAF, reasoning that age would prevent him from attaining higher rank, and he returned to England to take a job with Shanklin Aviation on the Isle of Wight. While ferrying passengers back and forth, he was once tipped for a place with the words "buy yourself a cigar". He rose to be manager of Portsmouth airport, and



did a lot of flying for the press and with passengers to the Channel Islands, as well as test-flying the Airspeed Courier for its designer, Nevil Shute Norway, the novelist Nevil Shute.

In February 1939, he resigned his commission as a reserve squadron leader in the RAF and his job as chief pilot and manager of Ramsgate airport to join the Royal Navy as a lieutenant-commander in the Fleet Air Arm. He was posted to the

aircraft carrier *Courageous* and 81 Squadron for flying duties. He soon qualified in deck landing and catapulting, as well as learning to fly Walrus amphibians and the Gladiator biplane fighter.

In May 1939 he was sent out to the Far East as the flightdeck officer of the carrier *Eagle*, and he was in Singapore at the outbreak of war against Germany. By June 1940, *Eagle* had joined Admiral Cunningham's Mediterranean Fleet, taking

part in the early sweeps against the Italian Navy and playing a vital reconnaissance and attack role in the Battle of Calabria in July. Other actions followed: two attacks on Tobruk by *Eagle's* aircraft caused the Italians to abandon the port, and in April 1941 the carrier's Swordfish aircraft sank three destroyers.

Promoted to commander, Eckersley-Maslin left the *Eagle* shortly before she was sunk and returned to Britain, where his civilian aviation expertise was put to good use in command of a number of new airfields for the Fleet Air Arm. At one of these, *HMS Raven* near Southampton, his parachute officer was the actor and film star Ralph Richardson. Eckersley-Maslin recalled wryly: "We had little difficulty in getting Wrens for the training school."

In 1943 he was promoted acting captain and sent to Gibraltar to take charge of all the naval air stations in the Mediterranean. Inspecting his "parish" required many ambitious long-distance solo flights in a modified Beaufighter bomber and subsequently an American Baltimore.

At the end of the war, Eckersley-Maslin worked briefly in the Admiralty, dealing with the design of airfields and flight deck equipment, but a desk job did not inhibit him from flying himself all over Britain in a variety of communications aircraft. Later, having reverted to the substantive rank of commander after the war, he was in command of the deck landing school in northern Scotland and, finally, *HMS Simbang*, the Navy's air station in Singapore during the Korean War.

He retired to Tasmania in 1953, becoming a hospital secretary and a JP. He married first, in India in 1927, Molly, whose son became a rear-admiral. This marriage was dissolved in 1939. His second wife, Claudine, and their two sons survive him.

IVOR ALLCHURCH

Ivor Allchurch, MBE, Welsh soccer international, died on July 9 aged 67. He was born in Swansea on December 16, 1929.

MODEST to the point of being almost totally self-effacing, Ivor Allchurch gave the best years of his footballing life to the clubs of his native Wales. Since this at the time meant duty with Swansea Town and Cardiff City, not natural competitors in the big leagues, he never got the chance to compete for the top League and FA trophies which might well have been expected to fall to a player of his talents. Indeed, only 103 of the 694 league games he played were in Division One.

Yet his gifts were incomparable: he moved over the turf with balance and style on his elegant feet. He possessed a surge of pace that could take him past two and three opponents, generally to their total astonishment. His dribbling was mesmerising; his passing was a model of precision and he was capable of rounding off his moves with some of the fiercest shots on goal to be witnessed at any level of the game.

As it was, the 66 Welsh caps he garnered in an international playing career which lasted from 1950 to 1966 stood as a record until broken by Joey Jones of Wrexham, Liverpool and Chelsea, in 1986. In that time his 23 goals for Wales equalled the record then held by Trevor Ford. (This was to be broken by Ian Rush who surpassed the pair's joint record in 1993.)

Ivor John Allchurch was brought up in Swansea and joined Swansea Town FC (subsequently to be renamed Swansea City) in 1947 at the age of 18. National Service, which claimed him shortly afterwards, delayed his first team debut. As it was, he managed to get some football in with Shrewsbury during his two years with the Army, served substantially in the Brecon area and in the Welsh Marches.

But once he had played his first game in the senior side his quality made him almost immediately conspicuous. Indeed, he had only been playing a season for Swansea when the most powerful clubs in the Football League came after him with their chequebooks. He and Swansea managed to stand out against all these offers until

1958 when Newcastle United offered £27,000 for his services. It was then a considerable sum and one not to be resisted.

Allchurch remained with Newcastle for three years, but when they were relegated in 1961, he returned to Wales, joining Cardiff City. After another three seasons, he moved back to Swansea, but he plummeted to the Fourth Division in 1967, and his final season in league football was spent playing at a level which hardly flattered his still superlative talents.

But Allchurch never grumbled. In his fifties he was still prepared to turn out for the lowest teams, in any weather, simply for the love of the game.

Allchurch's international career began in the 1951-52 season during which he won four caps. Perhaps his best performance at that stage was in December 1951 when Wales beat a Rest of the United Kingdom team 3-2 at Ninian Park, Cardiff. Allchurch was on brilliant form that day, scoring two of the Welsh goals with cracking shots.

In 1958 he was to play a formative role in Wales's tremendous success in the World Cup in Sweden. Not only did he inspire the side through his authority and dignity of bearing (as well as with his magnetic blond mop which always made him conspicuous on the pitch) but he scored the first of the goals in a 2-1 victory over Hungary which put Wales into the semi-finals. In their next game Wales lost only narrowly to the eventual winners, Brazil. Allchurch's last international season was 1965-66, in which he played a superb game against England at Ninian Park, and his final international match, against Scotland.

His departure from the game at the end of the 1967-68 season was widely regarded as removing from soccer not only a great talent, but a selfless sporting character who embodied the best qualities of association football.

He was appointed MBE in 1966 for his services to soccer and was inducted into the Welsh Hall of Fame. Allchurch's brother Len also had a distinguished career for Swansea, playing alongside Ivor for Swansea and in a number of internationals for Wales.

Ivor Allchurch is survived by his wife Esme and by their two sons.

JOHN HODGSON

John Hodgson, theatre educator, died in London on June 11 aged 70. He was born in Newcastle on April 8, 1927.

VISITORS to the ruins of Kenilworth Castle, near Stratford-upon-Avon, twenty years ago may well remember coming upon thirty or more costumed actors in Elizabethan costumes re-enacting the visit of Elizabeth I, who spent 19 days there in 1575 being entertained by the Earl of Leicester. In dances, songs and an improvised play, the actors transformed the quiet site into

a swirling centre of activity, cheered on by spectators. Somewhere among the actors, also in costume and performing with them, was the director and initiator of this project, John Hodgson.

At other times, his drama students from Bretton Hall College in Yorkshire experienced medieval theatre by recreating miracle and mystery plays at the ruins of Fountains Abbey and Rievaulx Abbey, or by performing on the site of Burton Agnes, an Elizabethan house in Yorkshire, or at the Avoncroft Museum of Buildings, near Bromsgrove.

Hodgson's "immersion method", as one student from New York University called it, even required students to dine on authentic foods of each historical period. Re-enactment, he believed, was the most effective way to explore and remember history, as well as to master the performing arts.

At Bretton, he developed a degree in theatre arts that attracted international attention for its emphasis on practical work in five major areas of study: acting, directing, history, criticism and participation. Later he created a degree in community theatre, which was also validated by the University of Leeds in the early 1980s; that, too, emphasised self-discovery and exploration of subjects in performance, rather than in classroom lectures or demonstrations. This was something other than the traditional "reading" for a degree. Among his Bretton graduates are the actors Malcolm Storry and Beattie Adney and the playwright John Goble.

In a 45-year career that included study of theatre arts throughout the United Kingdom, in Russia, Canada and the United States, Hodgson developed his way of teaching the theory of acting through practice, and academic subjects through performance. At various times he worked alongside Tyrone Guthrie, Brian Clarke, Charles Marowitz and Jonathan Miller.

He held posts in several academic and professional institutions, which allowed him to test his ideas. He was Fellow in Drama at the University of Manchester, deputy principal at the Old Vic Theatre School; an adjunct professor in the programme in educational theatre at New York University; tutor in acting at Leeds University; and for two decades, head of the faculty of performance arts at Bretton Hall College.

Between 1972 and 1989, more than 600 American graduate students attended summer courses at Bretton under the auspices of New York University's overseas study programme. Many of

today's leading theatre educators in America received their training and degrees through this specialised study. Most notably, the creative arts team of New York University, the oldest and largest theatre-in-education company in the United States, was directly inspired by Hodgson's teachings and his annual visits. A fellowship there is to be named in his honour.

Hodgson was at the centre of the Theatre-in-Education movement in Great Britain as it spread in the early 1970s, writing extensively in various educational journals. He was also the mentor of a pioneering company created by former Bretton students, Key Perspectives at the Peterborough Theatre.

Hodgson began his teaching after graduating from Oxford, and soon attracted attention with the publication of *Improvisation*, which he wrote with Ernest Richards. As improvisation came under scrutiny and began to be used by directors such as Jerzy Grotowski and Charles Marowitz, this book became a basic text for classroom practice. In the early 1970s *Uses of Drama* firmly established Hodgson as a leader of theatre education. In it, he made many connections between drama and learning, and suggested aims for drama study that are still pursued by many researchers today.

His fascination with the career of the German choreographer and movement theorist Rudolf Laban led to a lifelong quest to collect his designs, manuscripts and private correspondence, which he planned to use in a full-length biography, though this was left unfinished at his death. Two shorter works, however, were completed: *Rudolf Laban*, written with Valeria Preston Dunlop, and *Mastering Movement*, which is soon to be published.

His Laban archive will become available to other scholars who plan to complete his work. The remainder of his papers on theatre and education will be given to Oxford University.

He never married.



PERSONAL COLUMN

LEGAL NOTICES

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
IN THE MATTER OF CAMLAW LIMITED
AND
IN THE MATTER OF THE COMPANIES ACT 1985
NOTICE IS HEREBY GIVEN that the order of the High Court of Justice in the Chancery Division dated 10th July 1997 in the above matter, which is a copy of the order, is hereby filed for the purposes of the Companies Act 1985, and that the order is available for inspection at the Companies Registry, 100 Victoria Street, London EC6P 6PU, between 10.00 am and 4.00 pm on any business day.

No. 002490 of 1997
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NOTICE OF MEETING OF CREDITORS
KARDA TRADING LIMITED
Principal Trading Address:
Tollgate, Trowbridge, Wiltshire, BA14 6JH.
Company No. 1257728
NOTICE IS HEREBY GIVEN, pursuant to Section 75 of the Insolvency Act 1986, that a meeting of the creditors of the above-named company will be held at 11.00 am on Friday, 11th July 1997, at the offices of Messrs. J. & J. L. Jones, Chartered Accountants, 100 Victoria Street, London EC6P 6PU, for the purpose of considering the appointment of a liquidator or receiver of the company's assets.

NOTICE OF THE APPOINTMENT OF ADMINISTRATIVE RECEIVER
MARK LESTER LIMITED
Company No. 2001217
Pursuant to the provisions of the Companies Act 1985, notice is hereby given that Messrs. J. & J. L. Jones, Chartered Accountants, 100 Victoria Street, London EC6P 6PU, have been appointed Administrative Receiver of the above-named company.

NOTICE OF THE APPOINTMENT OF ADMINISTRATIVE RECEIVER
PARK WATERSHOE 1 LIMITED
Company No. 2001217
Pursuant to the provisions of the Companies Act 1985, notice is hereby given that Messrs. J. & J. L. Jones, Chartered Accountants, 100 Victoria Street, London EC6P 6PU, have been appointed Administrative Receiver of the above-named company.

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LEGAL, PUBLIC, COMPANY & PARLIAMENTARY NOTICES

TO PLACE NOTICES FOR THIS SECTION PLEASE TELEPHONE

0171-680 6878 OR FAX: 0171-481 9313

Notices are subject to confirmation and should be received by 2.30pm two days prior to insertion.

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SUNDAY 10AM-4PM

TEL: 0171 481 4000 FAX: 0171 782 7799

FRIEND OF HER MAJESTY.

THE LATE BARON STOCKMAR

A telegraphic despatch yesterday announced the death, at Coburg, in his 77th year, of Baron Stockmar, the earliest and most devoted friend of Her Majesty.

Baron Stockmar had been a faithful attendant and companion of Prince Leopold of Saxe-Coburg, even before the marriage of the Royal Highness with the Princess Charlotte; and when his establishment was formed in England Baron Stockmar was appointed Controller of the Household. He continued the friend of Prince Leopold after he accepted the throne of Belgium, though he was no longer in attendance on him, and at intervals he enjoyed the confidence of the Duchess of Kent to an unlimited extent. In these days of her early childhood the Queen's friendship for, and confidence in, Baron Stockmar began, and continued without interruption to the present moment.

Before the marriage of Prince Albert with the Queen his Royal Highness employed the autumn of 1836-37 in a tour in Italy, and Baron Stockmar was requested by the King of

ON THIS DAY

July 11, 1868

The death of this "dearly valued friend" of Queen Victoria would, *The Times* feared, add to her sorrow and affliction. Prince Albert had died seven years before.

The Belgians to accompany his Royal Highness upon this journey, and for no one did the lamented Prince entertain greater regard and esteem throughout his life.

Having thus lived upon intimate terms both with the Queen and with the Prince, it was not extraordinary that he was always received at the Palace as the dearest and most devoted friend of the Royal couple. Those who had the privilege of knowing well this extraordinary man could appreciate the charm of his society. With an intellect seldom surpassed, and a fund of general information rarely equalled,

Baron Stockmar combined a playfulness and gentleness in conversation and manner which made him a companion such as is seldom met with in society, but it was in the chivalrous honour and inflexible justice with which he applied his mind to any question submitted for his opinion and advice, and in his kindness and goodness of heart, that his chief value was felt.

No personal feeling, no advocacy of particular principles, could divert his judgment from the real substantial justice of the case before him, and long experience taught those who knew him well that the Baron's opinion was not only the result of most acute examination of the subject, but was founded upon a morality and truth. Well known to most of the great men of all ranks in Europe, the Baron was esteemed and consulted by most of those whose good opinion was valuable.

Of naturally a weakly constitution, and frequently an invalid, the energy of his mind had constantly conquered the feebleness of his body, and he had been able to serve with a labour of love all those to whose service he had devoted himself up to a short time since, when his increasing infirmities and failing health obliged him to confine himself to his residence at Coburg.

